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## BenefitsPRO

## Daily

Apr 20, 2021

## SLIDESHOW

**10 best places to work in 2021**

By Richard Binder

See which companies went above and beyond for their employees and communities during the pandemic. [Read More](#)



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## EXPERT OPINION

**3 common mistakes employers should watch for when dealing with employee COVID-19 vaccinations**

By Mike Muskat

There are many traps for the unwary when it comes to handling employee COVID-19 vaccinations. [Read More](#)



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### Multi-channel communication capabilities deliver personalized engagement offers

UMR's Bart Halling touts technology and data mining for delivering relevant information that keeps people engaged and improves decision-making. Listen now. [READ MORE](#)



Q&A

### Make change a little at a time: A Q&A with Robyn Tikia

By Paul Wilson

Evolution is a gradual process, says Risk Strategies' Robyn Tikia. [Read More](#)

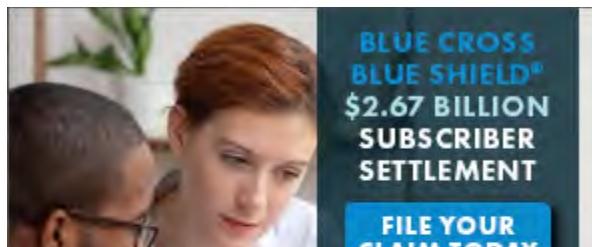


COMMENTARY

### We can do better: Making financial wellness a workplace imperative

By Anders Jones and Anton Honikman

Your employees won't tell you — it's embarrassing — but they worry about money every day. [Read More](#)





COMMENTARY

**A founder's take on benefits technology:  
5 important aspects to highlight**

By Frank Mengert

A good benefits technology platform engages and connects employees to each other and the company. [Read More](#)



**Changing behavior is a tricky recipe -  
with Matt Scovil**

By David Saltzman

Apps and AI are essential pieces in modern health care, but having real people communicate with members, using technology...

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**\$2.67 Billion Settlement**

Blue Cross or Blue Shield® health insurance and administrative services plans are affected by a \$2.67 billion subscriber settlement. File a claim. [READ MORE](#)

BEST PRACTICES

**The empowered employee experience**

By Vanessa Black

Here are three ways to build an edge when designing benefits for the next-generation workforce. [Read More](#)



#### MARKET INSIGHTS

##### **Analysis: Permanent ACA subsidies would reduce uninsured by 4.2 million**

By Alan Goforth

Temporary provisions in the American Rescue Plan Act could have a long-term impact on the uninsured rate if extended... [Read More](#)



#### SAVE THE DATE

##### **Save The Date | BenefitsPRO Broker Expo 2021**



BenefitsPRO Broker Expo 2021 – May 18th (FREE for sellers) & August 16-18, 2021 | BenefitsPro Broker Expo is back for 2021 and will feature a year-round experience both virtually and in-person. Providing two key informational and networking events, the virtual one-day program, FREE for sellers, will take place on May 18th, with the in-person 3-day conference taking place August 16-18 in San Diego. Join the entire benefits selling ecosystem to cultivate important relationships while raising new industry issues, embracing new challenges, and finding solutions. [Learn More](#)

#### RESOURCES

##### **State of Mental Health at Work 2021: Mental Health Experiences and Attitudes in a New World of Work**

*Sponsored by: Lyra Health*

Learn how employees are coping during this period of rapid transformation and the key steps employers can take to build a resilient and mentally healthy workforce.

[Learn More](#)

WEBCAST DATE: MAY 5, 2021

## **How to Evolve Employee Health and Well-Being in a Virtual World**

Join this complimentary webcast to discover how a robust health and well-being program is a powerful tool that can meet employees where they are on their wellness journey. [Learn More](#)



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# BenefitsPRO Daily

Apr 21, 2021

NEWS

## [Employer group to Congress: Ease HSA users' access to mental health care](#)

By Allison Bell

One idea: Congress could allow first-dollar coverage for telehealth and worksite clinic counseling. [Read More](#)



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COMMENTARY

**Humanizing resources: HR for the post-pandemic organization**

By John McFarland

Employee policy decisions now could influence employee relations and company performance for some time to come. [Read More](#)



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BEST PRACTICES

**The broker's role in battling the opioid epidemic**

By Allison Brown

Today's pandemic is like gasoline that's been dumped onto the inferno we know as the opioid epidemic. [Read More](#)



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# Daily

Apr 22, 2021

## MARKET INSIGHTS

### **Lost work time during pandemic has cost employers more than \$50 billion**

By Alan Goforth

The assessment includes potential sick leave wages, short-term disability payments and spending on employee benefits. [Read More](#)



A photograph of two people, a man and a woman, looking at a computer screen together. To the right of the image is a blue rectangular overlay containing text. The text reads "BLUE CROSS BLUE SHIELD® \$2.67 BILLION SUBSCRIBER SETTLEMENT" in white, bold, sans-serif font. Below this, in a smaller white box, is the text "FILE YOUR CLAIM TODAY". At the bottom of the overlay, the website "www.BCBSSettlement.com" is written in white, and the letters "JND" are in the bottom right corner of the overlay.

## NEWS

### **2 plan sponsor responsibilities that new DOL guidance addresses: 2021**

By C.J. Marwitz

Be aware of this recent DOL guidance to make sure you're in sync with your fiduciary duty, but also to protect the interests... [Read More](#)



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### Multi-channel communication capabilities deliver personalized engagement offers

UMR's Bart Halling touts technology and data mining for delivering relevant information that keeps people engaged and improves decision-making. Listen now. [READ MORE](#)



### A digital health ecosystem for COVID-19 and beyond

By Keri Dixon

Brokers and benefit advisers must be aware of digital health trends, so they can help employer groups design a digital... [Read More](#)



COMMENTARY

### Tips for small businesses: How to compete for top-quality remote workers

By Lesley Pyle

With remote work part of the 'new normal,' how can companies find and attract quality workers?

[Read More](#)



An advertisement for Blue Cross Blue Shield's subscriber settlement. It features a photograph of two people, a man and a woman, looking at a document together. To the right of the photo is a dark blue sidebar with white text. The text reads "BLUE CROSS BLUE SHIELD® \$2.67 BILLION SUBSCRIBER SETTLEMENT" and "FILE YOUR CLAIM TODAY". At the bottom of the sidebar is the website "www.BCBSSettlement.com". The overall background of the ad is light blue.

NEWS

**White House touts employer tax credit to encourage vaccinations**

By Josh Wingrove and Nancy Cook

The tax credit covers 100% of up to \$511 in daily wages per employee for those small- and medium-sized firms. [Read More](#)



NEWS

**Role of HR professionals has taken on greater importance during pandemic, survey finds**

By Alan Goforth

Add human resource professionals to the list of essential workers. [Read More](#)



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**\$2.67 Billion Settlement**

Blue Cross or Blue Shield® health insurance and administrative services plans are affected by a \$2.67 billion subscriber settlement. File a claim. [READ MORE](#)

EXPERT OPINION

**Navigating the new COBRA subsidy: Obligations for employers**

By Patricia C. Collins

The COBRA subsidy is available from April 1 to Sept. 30 to "assistance eligible individuals."

[Read More](#)



BEST PRACTICES

**Getting employees back to the office safely: So far, a patchwork quilt**

By Robert Andrews

Bringing employees back to physical workspaces during a pandemic is uncharted territory, but employers have already...

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## RESOURCES

### **Broker Tool: Small Business HR Compliance Guide**

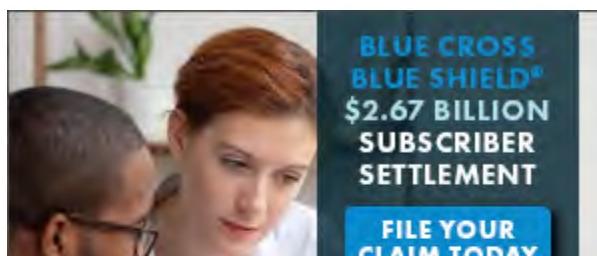
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Use this tool to show clients how to comply with changes in regulations and employment law. [Learn More](#)

WEBCAST DATE: MAY 5, 2021

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Apr 23, 2021

## BEST PRACTICES

### [Employers paying the price as unemployment insurance fraud escalates](#)

By Brian J. Schnese

Cybercriminals are seizing the opportunity created by the pandemic to attack unemployment assistance programs nationwide. [Read More](#)

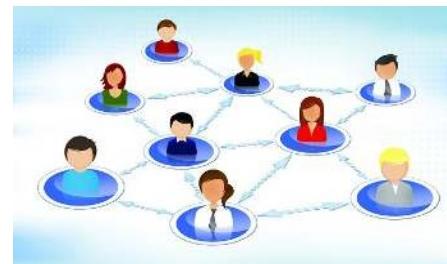


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BEST PRACTICES

### Developing a strategic plan for AI in the workplace: Where to start

By Michelle Capezza

Organizations should ensure that they have considered the role of their current and future workforce, as well as AI,... [Read More](#)



NEWS

### 2 plan sponsor responsibilities that new DOL guidance addresses: 2021

By C.J. Marwitz

Be aware of this recent DOL guidance to make sure you're in sync with your fiduciary duty, but also to protect the interests... [Read More](#)



NEWS

**Insurance arrangement that could end-run ACA goes before federal appeals court**

By Alan Goforth and Emily Payne

At issue is an arrangement allowing individuals to become "working owners" and eligible for a group health plan--just... [Read More](#)



NEWS

**Employer priority: Help employees with retirement planning through pandemic**

By Alan Goforth

Just 16 percent of employers feel most of their employees are saving adequately for retirement. [Read More](#)



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**\$2.67 Billion Settlement**

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MARKET INSIGHTS

**The workforce ecosystem: Re-imagining employers' relationship with workers**

By Scott Wooldridge

A new study from MIT Sloan Management Review and Deloitte explores a new way of approaching how companies interact with...

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## High-value health care: A model for the future

By Alan Cohen

Benefits brokers have an important role to play, since they are trusted advisors who can point their clients to solutions... [Read More](#)



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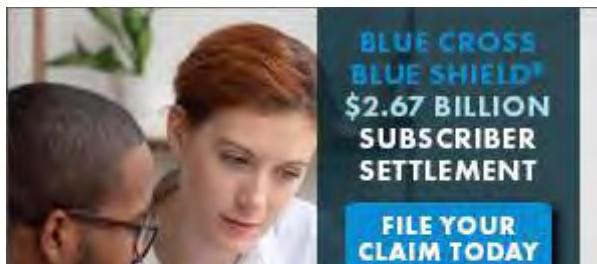
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# EXHIBIT I

# BCBS BONUS Media (as of 6.3.21)

CONSUMER MEDIA CAMPAIGN			
MULTICHANNEL NEWS RELEASE ("MNR")	DISTRIBUTION	DELIVERABLES	OVER DELIVERY
Cision   MultiVu	US1 and National Hispanic Newslines	4/6 Distribution	16,322 pageviews of MNR 161 views of the video ad 26 "shares" of MNR content
DIGITAL	TOTAL ORDERED	DELIVERABLES	OVER DELIVERY
Search Effort	NA	703,008 Impressions; 219,623 Clicks	NA
Google Display Network (GDN)	398,000,000 Impressions	427,557,696 Impressions	+ 29,557,696 Impressions
Facebook	30,000,000 Impressions	30,462,085 Impressions	+ 462,085 Impressions
PRINT	FREQUENCY	DELIVERABLES	OVER DELIVERY
People	1 Insertion	4/16 On-Sale	NA
Better Homes & Gardens	1 Insertion	5/14 On-Sale	NA
RADIO	TOTAL ORDERED	DELIVERABLES	OVER DELIVERY
Satellite Radio - SiriusXM	1,100 Spots	1,299 Spots	+ 199 Spots
Streaming audio - Pandora/Spotify	10,000,000 Impressions	10,702,236 Impressions	+ 702,236 Impressions
Broadcast Radio - iHeart Radio's National Premiere Networks	8,250 Spots	9,048 Spots	+ 798 Spots
Syndicated Radio - Top 10 African American Markets	100 Spots	159 Spots	+ 59 Spots
Spanish Radio - Top 10 Hispanic Markets	250 Spots	359 Spots	+ 109 Spots

TELEVISION	TOTAL ORDERED	DELIVERABLES	OVER DELIVERY
National Cable	Approximately 925 Spots	2,625 Spots	+ 1,700 Spots
National Syndication	Approximately 20 Spots	20 Spots	None
Network Morning News	Approximately 24 Spots	26 Spots <sup>1</sup>	+ 2 Spots
Over-The-Top Streaming Digital Video – NBCU One Video <sup>2</sup>	BONUS	1,597,028 Impressions	+ 1,597,028 Impressions

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<sup>1</sup> A total of seven additional network morning news spots aired as “makegoods” due to a local programming change on the ABC stations in five markets: Los Angeles, Phoenix, Portland, San Diego and Seattle. On Saturday, May 1, 2021, the local ABC stations in the five markets aired the “NFL Draft” instead of “Good Morning America” and preempted the BCBS scheduled spot. The “makegood” spots aired during the week of 5/10 in network morning news on various affiliates in the affected local markets.

<sup>2</sup> Over-The-Top Streaming Digital Video was negotiated with NBC Universal as BONUS “added value.”

ENTITY MEDIA CAMPAIGN			
WEBSITES	ESTIMATED ORDERED	DELIVERABLES	OVER DELIVERY
Business Approved Site List	1,000,000 Impressions	1,011,906 Impressions	+ 11,906 Impressions
LinkedIn	916,000 Impressions	957,779 Impressions	+ 41,779 Impressions
HR Executive (hrexecutive.com)	150,000 Impressions	155,734 Impressions	+ 5,734 Impressions
SHRM (SHRM.org)	100,000 Impressions	101,446 Impressions	+ 1,446 Impressions
National Assoc. of African Americans in Human Resources (NAAAHR.org)	14,600 Impressions	35,285 Impressions	+ 20,685 Impressions
E-NEWSLETTERS	ESTIMATED ORDERED	DELIVERABLES	OVER DELIVERY
Franchise Times E-Newsletter	104,000 Sends	112,541 Sends	+ 8,541 Sends
Entrepreneur Daily E-Newsletter	580,000 Sends	661,969 Sends	+ 81,969 Sends
Harvard Business Review Management Tip of the Day E-Newsletter	400,000 Sends	1,920,000 Sends	+ 1,520,000 Sends
SHRM HR Daily E-Newsletter	1,720,000 Sends	1,859,566 Sends	+ 139,566 Sends
HR Executive - HREBenefits E-Newsletter	400,000 Sends	343,722 Sends	NA
Employee Benefit News WELLNESS E-Newsletter	30,000 Sends	65,610 Sends	+ 35,610 Sends
Employee Benefit News First Look E-Newsletter	60,000 Sends	131,084 Sends	+ 71,084 Sends
Healthcare Dive	188,000 Sends	181,333 Sends	NA Sends
NAAAHR E-Newsletter	13,000 Sends	13,512 Sends	+ 512 Sends
BenefitsPRO Daily E-Newsletter	295,000 Sends	278,188 Sends	NA

# EXHIBIT J

## Blue Cross Blue Shield Settlement

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Blue Cross Blue Shield Settlement  
c/o JND Legal Administration  
P.O. Box 91390  
Seattle, WA 98111

May 7, 2021

### **Re: Blue Cross Blue Shield Settlement**

I write as the Claims Administrator in the Blue Cross Blue Shield Settlement. On November 30, 2020, the Court granted Preliminary Approval to the proposed Settlement reached in a class action lawsuit called *In re: Blue Cross Blue Shield Antitrust Litigation MDL 2406*, N.D. Ala. Master File No. 2:13-cv-20000-RDP. I am reaching out to provide you with information about the Settlement and claims process as the Court has approved my asking for your assistance in providing notice to Class Members. Enclosed is information about the case.

If you have any questions regarding the Settlement, please do not hesitate to contact us via mail, email, or telephone as provided below:

- Mail: Blue Cross Blue Shield Settlement  
c/o JND Legal Administration  
P.O. Box 91390  
Seattle, WA 98111
- Email: [ClaimsAdministrator@BCBSsettlement.com](mailto:ClaimsAdministrator@BCBSsettlement.com)
- Telephone: (888) 681-1142

Sincerely,

Jennifer Keough  
Chief Executive Officer  
JND Legal Administration



# If you purchased or were enrolled in a Blue Cross or Blue Shield health insurance or administrative services plan between 2008 and 2020, a \$2.67 billion Settlement may affect your rights.

*Para una notificación en español, visite [www.BCBSsettlement.com/espanol](http://www.BCBSsettlement.com/espanol)*

On November 30, 2020, the Honorable R. David Proctor of the U.S. District Court for the Northern District of Alabama granted preliminary approval of the Settlement in the *In re: Blue Cross Blue Shield Antitrust Litigation MDL 2406*, N.D. Ala. Master File No. 2:13-cv-20000-RDP.

Please visit [www.BCBSsettlement.com](http://www.BCBSsettlement.com) for more information.

## What is the lawsuit about?

Plaintiffs claim that the Blue Cross Blue Shield Association and Settling Individual Blue Plans (collectively, "Settling Defendants") violated antitrust laws by entering into an agreement not to compete with each other and to limit competition among themselves in selling health insurance and administrative services for health insurance. Settling Defendants deny all claims. The Settling Defendants have asserted that their conduct results in lower healthcare costs and greater access to care for their customers. The Court has not decided who is right.

## Who is affected?

You may be eligible to receive payment if you are an **Individual, Insured Group** (and their employees) or **Self Funded Account** (and their employees) that purchased or were enrolled in a Blue Cross or Blue Shield health insurance or administrative services plan during one of the two Settlement Class Periods. Government accounts are excluded from the Class.

The Settlement Class Period for **Individuals and Insured Groups** is from February 7, 2008 through October 16, 2020. The Settlement Class Period for **Self-Funded Accounts** is from September 1, 2015 through October 16, 2020. Dependents, beneficiaries (including minors), and non-employees are **NOT** eligible to receive payment.

All **Individuals, Insured Groups, and Self-Funded Accounts** that purchased or were enrolled in a Blue Cross or Blue Shield health insurance or administrative services plan during the applicable Class Period will also benefit from the parts of the Settlement requiring Settling Defendants to change certain of their practices that were alleged to be anticompetitive. Dependents, beneficiaries (including minors), and non-employees will benefit from this part of the Settlement.

For more details about who is affected visit [www.BCBSsettlement.com](http://www.BCBSsettlement.com).

## What can you get from the Settlement?

Class Members who submit valid claims may receive a cash payment from the Net Settlement Fund. The Net Settlement Fund is estimated to be approximately \$1.9 billion. This is after deducting attorneys' fees, administration expenses and other costs from the \$2.67 billion Settlement Fund. For more details on the Plan of Distribution, read the Long Form Notice available at [www.BCBSsettlement.com](http://www.BCBSsettlement.com). You can also call (888) 681-1142. Settling Defendants also agreed to make changes in the way they do business to increase the opportunities for competition in the market for health insurance.

## How do you get a payment?

You must submit a valid claim online at [www.BCBSsettlement.com](http://www.BCBSsettlement.com) or postmarked by mail no later than **November 5, 2021**. Claim Forms are available at [www.BCBSsettlement.com](http://www.BCBSsettlement.com) or may be requested by calling (888) 681-1142.

## What are your other options?

If you do not want to be legally bound by the Settlement, you may send a request for exclusion ("opt out"). You will not receive any money, but you will keep your right to sue Settling Defendants for the claims in this case. If you do not exclude yourself, you may object to the Settlement. You will still be bound by the Settlement if your objection is rejected. For details on how to opt out or object, read the Long Form Notice available at [www.BCBSsettlement.com](http://www.BCBSsettlement.com).

Opt outs and objections must be postmarked by **July 28, 2021**. The Court will hold a Fairness Hearing to consider whether the Settlement is fair, reasonable, and adequate. The Fairness Hearing is on October 20, 2021 at 10:00 a.m. CT. The Court will also decide whether to approve attorneys' fees and expenses up to \$667.5 million and \$101 million for additional costs and service awards. These amounts will be deducted from the \$2.67 billion Settlement Fund. You may ask to attend the Fairness Hearing, on your own or through counsel, but you do not have to do so.

## ■ Please Do Not Contact The Court Regarding This Notice. ■

## Questions?

- Visit [www.BCBSsettlement.com](http://www.BCBSsettlement.com), email [info@BCBSsettlement.com](mailto:info@BCBSsettlement.com),
- call (888) 681-1142, or
- write **Blue Cross Blue Shield Settlement**  
c/o JND Legal Administration  
P.O. Box 91390, Seattle, WA 98111.



**[www.BCBSsettlement.com](http://www.BCBSsettlement.com)**  
**(888) 681-1142**

# **EXHIBIT K**



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### Blue Cross Blue Shield® | \$2.67 Billion Settlement

File A Claim For Benefits In The Subscriber Settlement.

<https://www.bcbs.com/press-releases/blue-cross-and-blue-shield-settles-with-subscribers-over-pricing-practices>

### Blue Cross and Blue Shield Companies Reach an Agreement ...

CHICAGO – October 30, 2020 – Today, the **Blue Cross Blue Shield Association** and Blue Cross and Blue Shield companies reached an agreement to settle a ...

<https://www.boselaw.com/2021/01/blue-cross-blue-shield-settles-with-subscribers-over-pricing-practices>

### Blue Cross Blue Shield Antitrust Settlement - Bose McKinney ...

Jan 22, 2021 – In 2013, a national class of subscribers filed a lawsuit against **Blue Cross Blue Shield Association** (BCBSA) alleging that BCBSA entities ...

<https://topclassactions.com/insurance/2-67b-settlement-reached-in-blue-cross-blue-shield-case>

### \$2.67B Settlement Reached in Blue Cross Blue Shield ...

Feb 11, 2021 – \$2.67B Settlement Reached in Blue Cross Blue Shield Antitrust Case ... A \$2.67 billion **settlement** has been reached in class action lawsuits that ...

<https://www.beckershospitalreview.com/payer-issues/bcbs-insurers-2-7b-antitrust-settlement-gets-preliminary-approval>

### BCBS insurers' \$2.7B antitrust settlement gets preliminary ...

Dec 7, 2020 – A U.S. district judge gave preliminary approval for a \$2.7 billion **settlement** from Blue Cross Blue Shield insurers. The **settlement** is for an ...

Google blue cross settlement X

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**Blue Cross Blue Shield® | \$2.67 Billion Settlement**  
Submit A Claim In The Subscriber Settlement

<https://www.bcbs.com/press-releases/blue-cross-and-blue-shield-companies-reach-an-agreement-settle-a-class-action-lawsuit> •  
**Blue Cross and Blue Shield Companies Reach an Agreement ...**  
CHICAGO – October 30, 2020 – Today, the Blue Cross Blue Shield Association and Blue Cross and Blue Shield companies reached an agreement to settle a ...

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Blue Cross Blue Shield class action

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## [Blue Cross Blue Shield® | \\$2.67 Billion Settlement](http://www.bcbssettlement.com)

[Learn More About The Subscriber Settlement](#)

<https://www.bcbs.com/press-releases/blue-cross-and-blue-shield-companies-reach-an-agreement-settle-a-class-action-lawsuit> ::

## [Blue Cross and Blue Shield Companies Reach an Agreement ...](https://www.bcbs.com/press-releases/blue-cross-and-blue-shield-companies-reach-an-agreement-settle-a-class-action-lawsuit)

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Jan 22, 2021 – In 2013, a national class of subscribers filed a lawsuit against Blue Cross Blue Shield Association (BCBSA) alleging that BCBSA entities ...

<https://topclassactions.com/insurance/2-67b-settlement-reached-in-blue-cross-blue-shield-class-action-lawsuit> ::

## [\\$2.67B Settlement Reached in Blue Cross Blue Shield ...](https://topclassactions.com/insurance/2-67b-settlement-reached-in-blue-cross-blue-shield-class-action-lawsuit)

Feb 11, 2021 – \$2.67B Settlement Reached in Blue Cross Blue Shield Antitrust Case ... A \$2.67 billion settlement has been reached in class action lawsuits that ...

<https://www.beckershospitalreview.com/payer-issues/bcbs-insurers-2-7b-antitrust-settlement-gets-preliminary-approval> ::

## [BCBS insurers' \\$2.7B antitrust settlement gets preliminary ...](https://www.beckershospitalreview.com/payer-issues/bcbs-insurers-2-7b-antitrust-settlement-gets-preliminary-approval)

Dec 7, 2020 – A U.S. district judge gave preliminary approval for a \$2.7 billion settlement from Blue Cross Blue Shield Insurers. The settlement is for an ...

# EXHIBIT L

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              August 26, 2021

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              of Media Outlets

# SECTION 1A

REFERENCE LIST OF ARTICLES - OCTOBER 31, 2020 - AUGUST 26, 2021

## Reference List of Articles - October 31, 2020 - August 26, 2021

From October 31, 2020 through August 26, 2021, JND monitored press coverage about the Settlement beyond that of the MNR. JND found there to be extensive news coverage, increasing exposure and reach to Class members.

Below is a list of the news coverage JND located on various media outlets. With some coverage, the same article was located on more than one media outlet and is noted below under "Published by." Given the large volume of coverage, a sampling of articles from a variety of media industry sources is included, along with each article's corresponding reference number. Additional articles may be requested (i.e., beyond this sampling) by reference #, if so desired.

REF #	Title	Published by	Date
1	BCBS Insurers Reach \$2.67B Antitrust Deal in Alabama	Law 360	10/31/20
2	In Brief: Class Counsel haul in \$667 mln in proposed Blue Cross Antitrust deal	Reuters	11/2/20
3	Anthem is paying \$594 million to settle Blues antitrust settlement	Healthcare Finance	11/3/20
4	Anthem is paying \$594 million to settle Blues antitrust settlement	Times of News – Australia	11/4/20
5	Blue Cross Blue Shield to pay 2.6 Billion for price fixing	Seattle PI	11/4/20
6	BCBSA Settles Anti-Trust Litigation for \$2.7B, Anthem Pays 22%	Healthpayer Intelligence	11/5/20
7	A battle of Blue Cross plans is brewing	Crain's ChicagoBusiness.com	11/6/20
8	A battle of Blue Cross plans is brewing	News Break	11/6/20
9	Why an antitrust settlement could trigger a big bang in health insurance	Times of News - Africa	11/6/20
10	Why an antitrust Settlement could trigger a big bang in health insurance (Snippet only)	Modern Healthcare	11/6/20
11	"Historic" Settlement of Blue Cross Blue Shield Association Antitrust Action May Significantly Boost Competition in Health Insurance Markets in 2021	LexBlog	11/9/20
12	Antitrust Settlement gives HCSC Big Growth Opportunities (Snippet only)	Health Pulse Crain's Chicago	11/9/20
13	"Historic" Settlement of Blue Cross Blue Shield Association Antitrust Action May Significantly Boost Competition in Health Insurance Markets in 2021	JDSupra.com	11/9/20
14	Blue Cross Blue Shield Agrees To \$2.67 Billion Settlement In Antitrust Suit	The Lund Report	11/9/20
15	Blue Cross Blue Shield enrollees can expect payments from \$2.67 billion settlement	EIN Presswire	11/10/20
16	Blue Cross Blue Shield settlement payments coming	Tri-Cities Area Journal of Business	11/12/20
17	Blue Cross Blue Shield enrollees can expect payments from \$2.67 billion settlement	Northern Kittitas County Tribune	11/12/20

18	Calif., Texas Insurees Won't Say Yes To \$2.67B BCBS Deal	Law360	11/13/20
19	Accord Could Allow Other Blues To Enter Highmark's Market; More Competition Could Benefit Consumers	LexisNexis	11/15/20
20	By any other name, is a Blue Cross health insurance plan a 'nothingburger'?	Lancaster Online (Pittsburgh Post-Gazette)	11/16/20
21	By any other name, is a Blue Cross health insurance plan a 'nothingburger'?	Pittsburgh Post-Gazette	11/16/20
22	Ala. Judge Wary Of Second-Guessing \$2.67B BCBS Deal	Law360	11/16/20
23	Following BCBS antitrust settlement, the competitive insurance landscape could look different	BenefitsPro.com	11/16/20
24	How the Blues Antitrust Settlement could shake up the health care industry	Health Evolution	11/18/20
25	Guest Opinion: Would having more "Blues" make us Happier?	Business Record	11/19/20
26	A battle of Blue Cross plans is brewing	Insurance Forum	11/20/20
27	Singing the Blues	Leader's Edge	11/30/20
28	Blue Cross \$2.7 Billion Antitrust Settlement Gets Early OK (1)	Bloomberg Law	12/1/20
29	Ala. Judge Gives Initial OK to \$2.67B BCBS Antitrust Deal	Law360	12/1/20
30	As Boies Schiller Stumbles in Transition, Questions of Firm's Viability Swirl	Law.com	12/4/20
31	Boies Digs in on Holding Firm Together After Leadership Exits	Bloomberg Law	12/4/20
32	BCBS insures' \$2.7B antitrust settlement gets preliminary approval	Becker's Hospital Review	12/7/20
33	8-Latest healthcare industry lawsuits	Becker's Hospital Review	12/11/20
34	Blue Cross Blue Shield nears settlement for \$2.7 billion	HCCA	12/14/20
35	An Active Year For Health Care Antitrust Enforcement	Law360	12/15/20
36	Blue Cross Blue Shield Plans Agree to Structural Changes and Payment of \$2.67 Billion in "Historic" Antitrust Settlement	Martindale.com	12/17/20
37	An Active Year For Health Care Antitrust Enforcement	JD Supra	12/19/20
38	Major Development in BCBS Association Antitrust Litigation	JD Supra	12/22/20
39	Major Development in BCBS Association Antitrust Litigation	Lexology	12/22/20
40	How the Blues antitrust settlement could shake up the health care industry	Health Evolution	12/23/20

41	Congress Repeals Anti-Trust Exemptions over AHIP Objections	Health Payerintelligence	1/4/21
42	Health and Dental Insurers Subject to Federal Antitrust Laws	NewsColony	1/19/21
43	Health and Dental Insurers Subject to Federal Antitrust Laws	Health Affairs	1/19/21
44	Healthcare Antitrust – What to Expect 2021	JD Supra	1/21/21
45	Top Insurance Regulatory Developments of 2020: Part 2	Insurance Journal	1/26/21
46	Anthem paying \$594M to settle antitrust litigation, but deal terms might fuel growth.	Indianapolis Business Journal	1/29/21
47	Anthem paying \$594M to settle antitrust litigation, but deal terms might fuel growth	The Indiana Lawyer	2/1/21
48	Anthem paying \$594M to settle antitrust litigation.	General Counsel News	2/1/21
49	What the \$2.7 billion proposed Blue Cross settlement could mean for Alabama	AL.com	2/5/21
50	What the \$2.7 billion proposed Blue Cross settlement could mean for Alabama	News Break	2/5/21
51	What the \$2.7 billion proposed Blue Cross settlement could mean for Alabama	WHNT TV Broadcasts (5 airings)	2/5/21
52	\$2.67B Settlement Reached in Blue Cross Blue Shield Antitrust Case	Top Class Actions	2/11/21
53	\$2.7B Blue Cross settlement could expand your choices Benefits for health insurance customers could go beyond refund checks	The Huntsville Times - LexisNexis	2/16/21
54	\$2.7B Blue Cross settlement could expand your choices Benefits for health insurance customers could go beyond refund checks	Birmingham New -LexisNexis	2/16/21
55	Blue Cross Settlement could expand insurance choices Benefits for insurance customers could go beyond refund checks	Mobile Press-Register	3/2/21
56	Blue Cross Blue Shield Antitrust Settlement - Engaging with Settlement Vendors	One Digital	3/10/21
57	Boies Schiller sees big drop in revenue after partner departures	ABA	3/12/21
58	Blue Cross settlement could be game changer for health insurance market (WBRC TV (Fox6) Good Day Alabama 7am)	Birmingham Business Journal	3/19/21
59	Business News – Insurance Coverage in Alabama	WBRC TV (Fox) Good Day Alabama 7am	3/19/21
60	Michigan Blues could pay \$100- \$125 million to settle national antitrust lawsuit	Times of News	3/22/21
61	Modern Healthcare: Michigan Blues could pay \$100-\$125 million to settle national antitrust lawsuit	KHN Morning Briefing	03/22/21
62	Blue Cross Blue Shield \$2.67M Settlement	Top Class Action	03/24/21
63	BCBS Settlement Update	BCBS of Illinois	03/26/21

64	Law360 Reveals Titans of the Plaintiffs Bar	Law360	03/28/21
65	Blue Cross Blue Shield Class Action Lawsuit	Hustler Money Blog	04/20/21
66	Understanding the BCBS Class Action Settlement	OneDigital	04/22/21
67	United States: Key Trends In Commercial Litigation - Antitrust	Monddaq.com	04/23/21
68	Wheels begin turning in \$2.7B Blue Cross Blue Shield Antitrust Settlement process	Business Record	4/27/21
69	How you can claim part of the \$2.7 billion Blue Cross Settlement	Masslive.com	4/28/21
70	Blue Cross insurance settlement: Here's how to claim your share of \$2billion payout	Pennlive.com	4/28/21
71	Blue Cross insurance settlement: Here's how to claim your share if you were affected	syracuse.com	4/28/21
72	BCBS members receive notice of \$2.7B antitrust settlement	Healthcarefinancenews.com	4/29/21
73	How to file a claim in the \$2.67B Blue Cross Blue Shield class action settlement	WHNT TV.com	4/29/21
74	How People Can Claim Part of the \$2.7 Billion Blue Cross Settlement	HealthLeadersmedia.com	4/30/21
75	Here's How to Claim Part of the Giant \$2.7 Billion Blue Cross Settlement	Big CountryNews.com	4/30/21
76	Here's How to Claim Part of the Giant \$2.7 Billion Blue Cross Settlement	NJ.com	4/30/21
77	How to file a claim in the \$2.67B Blue Cross Blue Shield class action settlement	Express-Times Online-LehighValleyLive.com	4/30/21
78	How to claim your share of \$2B Payout	The Oregonian – LexisNexis	4/30/21
79	Verify: Yes, the Blue Cross Blue Shield settlement is real	WFAA TV.com	4/30/21
80	Verify: Yes, the Blue Cross Blue Shield settlement is real	KREM TV.com  <a href="#">WCNC TV</a> , <a href="#">KSDK TV</a> , <a href="#">WPMT TV</a> , <a href="#">WJXX TV</a> , <a href="#">KUSA TV</a> , <a href="#">KCEN TV</a> , <a href="#">WZDX TV</a> , <a href="#">KAGS TV</a> , <a href="#">WTSP TV</a> , <a href="#">WTHR TV</a> , <a href="#">KXVA TV</a>	4/30/21
81	Blue Cross Blue Shield Settlement Notice	Insurance Forums	4/30/21
82	BCBS Members receive notice of \$2.7B antitrust settlement	Times of News	5/1/21
83	Blue Cross Blue Shield settles antitrust lawsuit for \$2.7B; members can file claims	Grandforksherald.com	5/1/21
84	Blue Cross Blue Shield settles antitrust lawsuit for \$2.7B; members can file claims	Inforum.com	5/1/21
85	Blue Health Insurers Drop Revenue Rule That Limited Competition	Marketscreener.com	5/3/21
86	Blue Cross Blue Shield customers could be paid in \$2.67B Class Action Lawsuit Settlement	Wandtv.com	5/3/21

87	Blue Health Insurers Drop Revenue Rule That Limited Competition	ADVFN.com	5/3/21
88	News Highlights: Top Company News of the Day Blue Health Insurers Drop Revenue Rule that Limited Competition	ADVFN News Highlights	5/3/21
89	Blue Health Insurers Drop Revenue Rule that Limited Competition	Awesome Capital.com	5/3/21
90	Blue Cross Blue Shield settles antitrust lawsuit for \$2.7B; members can file claims	Red Lake National News	5/3/21
91	What To Do with \$2.67 Billion Dollars (or Something Less): The Blue Cross Blue Shield Anti-trust Settlement	WFMYTV.com	5/3/21
92	Blue Health Insurers Drop Revenue Rule That Limited Competition	ADVFN News Highlights	5/4/21
93	BCBS Association Cuts rule that hampered competition	Becker's Hospital Review	5/4/21
94	Blue Cross Blue Shield Association Lifts Rule Limiting Competition Among its Members	Kaiser Health News	5/4/21
95	Claims in Blue Cross Class Action Lawsuit to be accepted through November	YahooNews.com	5/5/21
96	Claims in Blue Cross Class Action Lawsuit to be accepted through November	InsuranceNewsnet.com	5/9/21
97	Want to claim part in the Blue Cross' \$2.7 billion settlement? Here's what you should know	WIYY FM Online Baltimore, <a href="#">KCRA TV</a> , <a href="#">Baltimore Post Online</a> , <a href="#">WBAL TV Online</a> , <a href="#">KCCI TV Des Moines</a> , <a href="#">World News Network</a> , <a href="#">KSBW TV</a> , <a href="#">KETV TV</a> , <a href="#">KHBS TV</a> , <a href="#">KOCO TV</a> , <a href="#">WAPT TV</a> , <a href="#">WESH TV</a> , <a href="#">WISN TV</a> , <a href="#">WJCL TV</a> , <a href="#">WPBF TV</a> , <a href="#">WPTZ TV</a> , <a href="#">WTAE TV</a> , <a href="#">WYFFT TV</a> , <a href="#">WRBL TV</a> , <a href="#">WLWT TV</a> , <a href="#">WMTW TV</a> , <a href="#">WMUR TV</a> , <a href="#">WLKY TV</a> , <a href="#">WGAL TV</a> , <a href="#">WDSU TV</a> , <a href="#">WCVB TV</a> , <a href="#">KMBC TV</a> , <a href="#">KOAT TV</a> , <a href="#">WXII TV</a> , <a href="#">4 State News (30 total)</a>	5/10/21
98	Get this Blue Cross Blue Shield Letter? It Means You Can Claim Money[y]	WMSX FM The Breeze <a href="#">WBUF-FM 92.9</a>	5/11/21
99	Blue Cross Insurance Antitrust Class Action Settlement	Money Mondays Blog	5/14/21
100	What To Do with \$2.67 Billion Dollars (or Something Less): The Blue Cross Blue Shield Anti-trust Settlement	MATR News Blog	5/17/21
101	Not a scam: the \$2.67 billion Blue Cross Blue Shield 'settlement fund' is real	KAIT TV Online	5/21/21
102	Key Rule Change for Blue Cross could mean lower costs for NC consumers	Triangle News/Business Journals	5/27/21
103	Did you also receive notification of this class action lawsuit?	Awesome923.com	6/1/21

104	Boies Cites "Trench Warfare" in \$627 Million BCBS Legal Fee Bid	Bloomberglaw.com/class-action	6/1/21
105	Meet the Professor Big Law Hires to Collect Nine-Figure Fees	Bloomberglaw.com/US-Law-Week	6/3/21
106	Letter to the Editor: Our Legal System is Flipped and Twisted	ChronOnline.com (Chehalis Chronicle)	6/7/21
107	Working with DCap Claims...including through a new Blue Cross Blue Shield settlement	ACAIinternational.org	6/08/21
108	Doctor, Doctor...Health Plan Litigation Update	Lexology.com/Employee Benefits Law Blog	6/18/21
109	KLIF-AM / Dallas Ft. Worth, TX	Radio Clip	6/21/21
	WGDJ-AM / Albany-Schenectady-Troy, NY	Radio Clip	6/21/21
	WDEL-FM / Philadelphia, PA	Radio Clip	6/21/21
	KTRS-AM / St. Louis, MO	Radio Clip	6/21/21
	WTMJ-AM / Milwaukee, WI	Radio Clip	6/21/21
	KOMO-AM / Seattle, WA	Radio Clip	6/21/21
110	Five Blues plans launch Evio, a for-profit company focused on lowering drug prices	Healthcarefinancenews.com	06/22/21
111	Blue CROSS: Settles Lawsuit for \$2.7BB; Members Can File Claims	LexisNexis Class Action Reporter	6/23/21
112	Will Blue Cross settlement boost health plan competition in Minnesota?	Startribune.com	6/26/21
113	Will Blue Cross settlement boost health plan competition in Minnesota	Newstral.com	6/26/21
114	Blue Cross settlement meant to stir market	Minneapolis Star Tribune	6/27/21
115	Yes, the Blue Cross Blue Shield Settlement is Legit	Snopes.com	7/1/21
116	Blue Cross: Claim Your Cash Payment From Class Action Lawsuit	LexisNexis Class Action Reporter	7/5/21
117	VARIOUS - WKBW TV 7 Eyewitness News at 5 7 Eyewitness News at 6	WKBW-TV (ABC) Buffalo, NY (2 total news airings) At 5; at 6	7/9/21
118	How you can get money from the Blue Cross Blue Shield Settlement	Online: <a href="#">WKBW-TV</a> ; <a href="#">KSHB-TV</a> ; <a href="#">KRTV-TV</a> ; <a href="#">KXXV-TV</a> ; <a href="#">KMGH-TV</a> ; <a href="#">KOAA-TV</a> ; <a href="#">KZTV-TV</a> ; <a href="#">KXLF</a> ; <a href="#">KGUN-TV</a> ; <a href="#">WTVR-TV</a> ; <a href="#">KNXV-TV</a> ; <a href="#">WTXL-TV</a> ; <a href="#">KBZK-TV</a> ; <a href="#">WLEX-TV</a> ; <a href="#">WCPO-TV</a> ; <a href="#">WXMI-TV</a> ; <a href="#">WEWS-TV</a> ; <a href="#">KGTV-TV</a> ; California News Times; <a href="#">KIVI-TV</a> ; <a href="#">WTKR-TV</a> ; <a href="#">KJRH-TV</a> ; <a href="#">WPTV-TV</a> ; <a href="#">WFTS-TV</a> ; <a href="#">KPAX-TV</a> ; <a href="#">WXYZ-TV</a> ; <a href="#">WTVF-TV</a> ; <a href="#">KRIS-TV</a> ; <a href="#">KMTV-TV</a> ; <a href="#">WMAR-TV</a> ; <a href="#">WTMJ-TV</a> ; <a href="#">WFTX-TV</a> ; <a href="#">KTVQ.com</a> ; <a href="#">KSBY-TV</a> ; <a href="#">KXLH</a> ; <a href="#">WSYM-TV</a> ; <a href="#">KERO-TV</a> ; <a href="#">KTNV-TV</a> ; <a href="#">KSTU-TV</a> ; <a href="#">KATC-TV</a> ; <a href="#">WRTV-TV</a> ; <a href="#">WGBA-TV</a> , Baltimore Post Online; <a href="#">KTVH-TV</a> (44 total)	7/9-7/10/21

119	How you can get money from the Blue Cross Blue Shield settlement - Kansas City, Missouri	Eminetra.com	7/10/21
120	Good Morning Tucson	KGUN TV (ABC) Tucson, AZ (1 news airing)	7/12/21
121	VARIOUS - Good Morning Las Vegas @ 6AM 13 Action News @11:00AM	KTNV-TV (ABC) Las Vegas, NV (2 total news airings)	7/12/21
122	Blue Cross Blue Shield companies settle antitrust lawsuit for \$2.67 billion	Jackson Hole News and Guide	7/14/21
123	Is the Blue Cross Blue Shield Settlement Legit? Here's What you Need to Know	Classaction.org	7/17/21
124	How you can get money from the Blue Cross Blue Shield settlement	Californianewstimes.com	7/19/21
125	BCBS Calls Providers' Antitrust Damage Claims "Speculative"	Law360.com	7/23/21
126	Week Ahead in Insurance Law: July 26, 2021	Reuters.com	7/23/21
127	10PM News on Fox50 WRAL News Sunday Morning	WRAL's 10PM News on Fox50 WRAL News Sunday Morning	8/2/21, 8/8/21
128	ABC15 News at 6am ABC15 News at 4pm	KNXV TV, Phoenix KNXV TV, Phoenix	8/18/21
129	Class action lawsuit: Do you qualify for cash back?	KNXV-TV online: abc15.com	8/18/21
130	Lexington Insurance Wants Out Of BCBS Antitrust Coverage	Law360.com	8/19/21

These outlets covered the same news coverage. One article is available.

## **SECTION 1B**

### **SAMPLES OF FULL ARTICLES**

REF # 5

## Blue Cross Blue Shield to pay \$2.6 billion for price fixing

By Rita R. Robison on November 4, 2020 at 7:37 PM

A [\\$2.67 billion settlement](#) to resolve antitrust charges against health insurer Blue Cross Blue Shield will result in payments to some consumers of Premera and Regence health plans in Washington state.



## BlueCross BlueShield

The settlement affects the 36 Blue Cross Blue Shield insurers nationwide. In Washington, this includes Premera Blue Cross, Regence BlueShield, Regence BlueShield of Oregon, and Regence BlueShield of Idaho Inc.

The agreement resolves claims that the insurance group's member companies conspired to limit competition and raise prices for policyholders.

The payments to affected policyholders will be at least \$5, according to court documents.

"This settlement should increase competition, which is great news," Kreidler said.

The settlement is the result of a lawsuit filed in 2013 on behalf of millions of individual and corporate policyholders. Blue Cross Blue Shield member companies cover more than 100 million Americans, or about a third of the nation's population.

Health insurance companies in Washington operating under the Blue Cross Blue Shield:

- Premera Blue Cross with about 616,917 enrollees
- Regence BlueShield with about 437,916 enrollees
- Regence BlueShield of Idaho Inc. with about 1,758 Washington enrollees
- Regence Blue Cross Blue Shield of Oregon with an estimated 60,431 enrollees

Many of these policyholders are enrolled in Washington's individual health insurance market.

Kreidler's office [recently approved 13 health insurers](#) to offer plans for 2021. For the second straight year, the average premium change dropped by more than 3 percent.

[Open enrollment](#) began Nov. 1 and runs through Dec. 15

For more information for consumers, see my blog [Rita R. Robison, Consumer and Personal Finance Journalist](#).

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# “Historic” Settlement of Blue Cross Blue Shield Association Antitrust Action May Significantly Boost Competition in Health Insurance Markets in 2021

By [James M. Burns](#)

November 9, 2020

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After over 8 years of hard-fought litigation, the Blue Cross and Blue Shield Association, together with its 36 Blue Cross/Blue Shield members (“the Blues”), recently announced a proposed settlement of class action antitrust litigation (*In re Blue Cross Blue Shield Antitrust Litigation*) brought against them by a nationwide class of subscriber members. The settlement terms, summarized in the plaintiffs’ motion seeking the Court’s approval of the settlement, includes both the payment of substantial monies to the plaintiff class (\$2.67 billion) and significant agreed-to changes to the way in which the Blues operate.

The action, begun as a single case in 2012 and subsequently converted into a multi-district proceeding in the Northern District of Alabama after numerous similar cases were filed across the country, centered on the contention that several of the Blue Cross Blue Shield Association (“BCBSA”) rules pertaining to the use of its trademarks unlawfully impeded competition among its Blue members, causing consumers to pay higher rates for health insurance. Notably, almost 1 in every 3 Americans with private health insurance currently obtains health insurance from 1 of the 36 Blue members. The Blues defended the existence of these rules as being reasonably necessary to protect the value of the Blue Cross trademarks.

The litigation was particularly hard-fought and expensive, with the production of over 15 million pages of documents, over 120 depositions, and over a dozen motions to dismiss the plaintiffs’ claims. After those motions to dismiss were denied, and the 11<sup>th</sup> Circuit Court of Appeals refused to consider those rulings on an interlocutory basis, settlement discussions between the parties accelerated. Most recently, the parties briefed issues relating to the potential certification of the class, which was an issue that was still pending at the time of the announcement of the proposed settlement.

While the money that will be paid under the proposed settlement, if approved, is substantial – even when shared among the 36 member Blues – the injunctive relief terms are even more significant, as they have the potential to re-shape the state of competition in health insurance markets going forward.

In fact, the papers submitted to the Court in support of the settlement characterize them as “historic.”

Specifically, a number of BSCBA rules that Blue member companies had been required to adhere to as part of their Blue Cross trademark licensing agreement with BCBSA would be eliminated as part of the settlement. These rules currently (1) limit the amount of “non-Blue” business that a Blue Cross licensee can have outside of the service area for which it possesses the Blue mark; (2) limit the ability of out-of-state Blues to bid for insurance business against a “home” Blue for larger employers (those with over 5,000 employees that also meet certain dispersion criteria); (3) restrict the ability of a Blue member to acquire another Blue member, making such restrictions permissible only to the extent that the restrictions are “reasonably necessary to prevent the impairment of the value of the Blue marks or the competitive or efficiency of Blue branded business”; and (4) would greatly restrict the ability of the Blues to utilize “most favored nations” clauses in their provider contracts. The proposed settlement would also create a 5-person “monitoring committee” that would oversee compliance with the terms of the settlement for a period of 5 years.

While final approval of the proposed settlement is likely not to occur until the Spring of 2021, at the earliest, if approved, the changes to the Blue Cross rules potentially could spur additional competition in health insurance markets all across the country. Specifically, the elimination of the restriction on a Blue

licensee's "non-Blue" business should permit out-of-state Blues to compete more often with a "home" Blue for new business, particularly for business from larger employers with dispersed employees. In addition, the settlement would also eliminate another current Blue rule that requires that a Blue proposal to a national account be submitted by the "home" Blue. The settlement expressly permits national accounts to seek, and the Blues to provide, a second bid from another Blue in addition to the bid received from the "home" Blue. Finally, the loosening on the restrictions on mergers among the Blues could lead to some consolidation among the smaller Blue licensees, making them more formidable competitors in states outside of their "home" territories, both as against the "home" Blue and the other large national health insurers.

Perhaps for these reasons, in announcing the proposed settlements, several Blues not only expressly stated that they "reject the claims plaintiffs made in the lawsuit," but that the proposed settlement allows them to "remain focused on the goal of improving access to quality healthcare for all Americans."

Accordingly, in the end, what are the likely implications of the settlement for health insurance markets, and consumers, going forward? What seems quite clear is that there will be greater competition among the various Blues going forward. However, no less clear is the fact that added competition from the Blues will likely require a competitive response from the other national and regional health insurers as well. And, with more health insurer options to choose from, consumers should

benefit, with such added competition likely resulting in consumers receiving higher quality services at lower prices – which, of course, is precisely the objective of antitrust laws in the first place. Stay tuned.



**James M. Burns**

With extensive experience handling healthcare antitrust matters, [Jim Burns](#) litigates antitrust and related claims in trial and appellate courts across the nation. He also represents clients, including numerous healthcare providers, insurers, and healthcare systems, before the Department of Justice Antitrust Division and the...

**[Read more about James M. Burns](#)**[\*\*Email\*\*](#)

[Show more](#)

REF # 20

# By any other name, is a Blue Cross health insurance plan a 'nothingburger'?

- Kris B. Mamula - Pittsburgh Post-Gazette (TNS)
- 3 hrs ago

Nov. 16—Highmark has been a big player in Pennsylvania's health insurance market for decades, but a change that could bring new competition from fellow Blue plans — of all places — presents both opportunity and peril for the Pittsburgh-based insurer.

And consumers could be the winners.

A tentative agreement reached in a longstanding Alabama lawsuit calls for three dozen Blue Cross Blue Shield plans, including Highmark, to pay \$2.67 billion to settle claims of suppressing competition in the insurance market as a way to drive up premiums. Included in the settlement is the end of a decades-old Blue Cross Blue Shield Association limit on sales of health insurance outside of a Blue plan's defined service area.

"It's a very big thing," said lead plaintiff attorney David Boies, chairman of the New York City firm of Boies Schiller Flexner. "It really opens up the market."

A Blue Cross Blue Shield Association spokesperson played down the impact of the settlement, saying only some national employers would be affected.

"Blue Cross and Blue Shield companies are only permitted to sell branded products and services in their licensed service areas," the spokesperson said in a statement. "As an operational change to reach this mutually agreed settlement, both parties agreed to add the opportunity for certain large, national employers to request a second Blue bid as a fair and reasonable settlement term."

Highmark referred questions to the Chicago-based association, which declined to disclose Highmark's share of the settlement payment. Highmark is among three independent Blue Cross plan licensees

serving Pennsylvania, with little overlap in regions that are set by the Blue Cross Blue Shield Association, a trade association that manages the Blue brand.

The settlement agreement would free Highmark to expand its sales of non-Blue branded products in Harrisburg, for example, which is controlled by Capital BlueCross, a fierce Highmark competitor in the central part of the state. But it would also open the Pittsburgh market for other Blue plans to make inroads with products minus the Blue Cross Blue Shield trademark.

The association, which was formed in 1982 by the merger of its two namesake organization, is made up of 36 independent plans that carry the trademark Blues seal. Blue companies provide health insurance to more than 106 million people in all 50 states.

Blue plans are often big players in the markets where they sell coverage. Highmark, for example, controls 69% of the large group market in Delaware; 80% in West Virginia; and 40% in Pennsylvania, according to a 2018 analysis by the Kaiser Family Foundation.

The proposed settlement, which has yet to be approved by U.S. District Court Judge R. David Proctor, will test the market value of Blue Cross Blue Shield's jealously guarded emblem, which dates to 1948 and has been associated with coverage that is accepted virtually everywhere.

BCBSA said it would be at least a year before Judge Proctor signed off on the deal.

The settlement agreement will also test the value of Highmark's 2011 decision to buy the then-ailing West Penn Allegheny Health System, adding the heft of a complementary hospital arm to Highmark's health insurance business, which can be leveraged as a marketing tool.

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The Alabama lawsuit was filed in 2012 by a retired chiropractor who claimed that Blue plan dominance stifled competition, drove up premiums and lowered reimbursement to hospitals and other medical providers. In Alabama, for example, Blue Cross Blue Shield controls 93% of subscribers in the state, and Blue carriers insure about 1 in 3 Americans nationwide.

A related part of the lawsuit that was filed by hospitals and other medical providers against the Blue plans is still pending in the U.S. District Court for the Northern District of Alabama. Also pending is whether health care systems can negotiate directly with Blue plans nationwide other than Highmark, which Pittsburgh-based UPMC tried to do for several years starting in 2014.

In 2019, UPMC sought an injunction in the Alabama lawsuit to stop a Blue prohibition against plans contracting with hospitals outside their exclusive services areas. The petition was dismissed by the court.

The lawsuit faulted limits on non-Blue product sales for stopping Blue plans from expanding outside their defined regions. A 2005 BCBSA rule caps Blue plans' revenue from non-Blue products at 20% of total revenue from a given service area.

Elimination of that cap would allow Blue plans to compete against other Blue plans with coverage that is sold out from under the Blue umbrella, Mr. Boies said.

"Any Blue Cross plan can go anywhere," he said, adding that Blue plans have indicated an interest in doing just that. "Nobody out there ought to be able to sit on 80% or 90% of the market. That doesn't give consumers a fair shot."

The Blue Cross Blue Shield Association declined to comment on licensee interest in expanding non-Blue branded sales. But an industry observer said marketing health insurance without the Blue mark, regardless of region, would be challenging.

"In the market, Acme Health Insurance is a nothingburger," this person said, who asked to remain anonymous because they were not authorized to speak about the issue.

Kris B. Mamula: [kmamula@post-gazette.com](mailto:kmamula@post-gazette.com) or 412-263-1699

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REF # 22

11/17/2020

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## Ala. Judge Wary Of Second-Guessing \$2.67B BCBS Deal

By **Jeff Montgomery**

Law360 (November 16, 2020, 10:37 PM EST) -- A federal judge in Alabama cautioned an attorney for non-consenting class members Monday about second-guessing "the tactical decisions of class counsel" in a proposed \$2.67 billion multidistrict class settlement for alleged overpayments to Blue Cross-Blue Shield insurers.

U.S. District Judge R. David Proctor made the point during a video-conference preliminary approval hearing in the Northern District of Alabama for the settlement of a suit filed in January 2013, targeting allegations that the insurers divvied up the nation and conspired to restrain competition among themselves and from other insurers, causing damages estimated at between \$19 billion and \$38 billion.

The settlement, reached after more than eight years of battling, would provide proportional payouts to tens of millions of business and individual BCBS subscribers, while also establishing court-ordered reforms prohibiting anti-competitive conduct, including ending a Blues practice of requiring members to derive at least two-thirds of their revenues from "Blue branded" services.

Attorneys for the class hailed the deal as historic — potentially reshaping competition in the health insurance industry and increasing consumer choice. But attorneys for three Blues customers told the judge their clients declined to support the deal based on a "lack of openness" in negotiations and requirement to release individual claims in order to participate in the settlement.

"I feel like I'm dealing with a college football team that has 70 players and the flag comes from the sideline and three of the players don't like the coach's call and want to see the playbook, which is all well and good," Judge Proctor said, "but I've got to make a decision here in the near future about whether to give preliminary approval."

Chris Cowan of Downs McDonough Cowan & Foley LLP, counsel for individuals in California, Texas and Minnesota, argued that those supporting the deal lack standing to dismiss claims from states without a class representative who is part of the settlement. He noted among other points that the settlement, alleging violations of the Sherman Act, left unsettled possible claims that the Blues' conduct amounted to violations of the Racketeer Influenced and Corrupt Organizations Act or insurance laws.

David Boies of Boies Schiller & Flexner LLP, class co-lead counsel, said that the case involved a national class damaged by a uniform, national agreement to restrict competition. The settlement will be "implemented in a uniform national way, where the injunctive benefits are going to be national in scope and the damages are going to be distributed pro rata. Based on that, there's not a need for representation from each geographic area."

Megan Jones of Hausfeld LLP, a member of the litigation team's settlement committee, said attorneys involved with the case were proud of the transparency of litigation efforts, and said that a well-known and experienced notice and claims firm, JND Legal Administration LLC, had been retained to manage the process.

The noticing and claims process, Jones said, was developed to meet the standards of the Eleventh

11/17/2020

## Ala. Judge Wary Of Second-Guessing \$2.67B BCBS Deal - Law360

Circuit, and represented months of work. Direct email and mass-media notice campaigns are planned as well as notifications through digital platforms such as Google and Facebook.

Under the settlement, individual class members and their past costs for Blue Cross coverage, either through workplace or individual plans, will be developed from insurer records, with protection for sensitive information. Individuals will also have an opportunity to submit individual claims if they choose.

No more than 25% of the \$2.67 billion will go toward attorney fees and expenses, with 93.5% of an estimated \$1.9 billion in payouts expected to go to fully insured individuals or business premium-payers and the balance to self-insured individuals.

David J. Zott of Kirkland & Ellis LLP, counsel to the Blue Cross and Blue Shield Association, said no one disputes that this was a procedurally fair settlement. "This was hard-fought negotiations over five years. Many times we were at an impasse," with three mediators eventually becoming involved.

"We do believe that our system as currently constituted is lawful and pro-competitive, and ultimately would be sustained," Zott said. "At the same time, there's no question that both sides faced very substantial risks, burdens and uncertainty."

The case began in 2012 with actions against the BCBS Association and member plans accusing them of agreeing to "carve the United States into geographic exclusive service areas in which the other member plans could not compete" using BCBS names and trademarks.

Claims in the Alabama suit became a major factor in a 10-day trial in Delaware's Chancery Court in 2019 over the collapse in 2017 of a \$54 billion merger of Cigna Corp. and Anthem Inc., the nation's largest Blue Cross company. Vice Chancellor J. Travis Laster found earlier this year that neither company can recover on claims for billions in damages from the busted deal, in a decision recently appealed to Delaware's Supreme Court.

Judge Proctor noted Monday that he was "very vigilant at one stage of the case protecting the mediation privilege when there were attempts to invade it up in the Chancery Court of Delaware."

The judge gave the parties until noon on Friday to submit any additional briefs on the proposed settlement.

The subscribers are represented by Boies Schiller Flexner LLP, Hausfeld LLP, Cooper & Kirk PLLC, Pittman Dutton Hellums PC, Paul Weiss LLP, Davis & Taliaferro LLC, Zuckerman Spaeder LLP, Foot Mielke Chavez & O'Neil LLC, Guin Stokes & Evans LLC, Cafferty Clobes Meriwether & Sprengel LLP, Lemmon Law Firm, Levin Papantonio Thomas Mitchell Rafferty & Proctor PA, Cory Watson Crowder & Degaris PC, Van Winkle Law Firm, Del Sole Cavanaugh Stroyd LLC, Grant & Eisenhofer PA, Gustafson Gluek PLLC, Hazzard Law LLC, John D. Saxon PC, Jones Ward PLC, McCallum Methvin & Terrell PC, McGartland & Borchardt LP and Burns Charest LLP.

The defendants are represented by Hogan Lovells, Kirkland & Ellis LLP, White & Case LLP, Wallace Jordan Ratliff & Brandt LLC, Balch & Bingham LLP, Maynard Cooper & Gale PC, Hill Hill Carter Franco Cole & Black PC, Nelson Mullins Riley & Scarborough LLP, Kilpatrick Townsend & Stockton LLP, Wallace Ellis Fowler Head & Justice, Shearman & Sterling LLP, Bodman PLC, Shamoun & Norman LLP, Campbell Guin Williams Guy & Gidire LLC, Axinn Veltrop & Harkrider LLP, Reichard & Escalera LLC, Adams and Reese LLP, Brunini Grantham Grower & Hewes PLLC, Phillips Lytle LLP, Baker Donelson Bearman Caldwell & Berkowitz PC, Lightfoot Franklin & White LLC, Foley & Lardner LLP, Spotswood Sansom & Sansbury LLC, Cravath Swaine & Moore LLP, Riley & Jackson PC and Crowell & Moring LLP.

The case is In re: Blue Cross Blue Shield Antitrust Litigation, case number 2:13-cv-20000, in the U.S. District Court for the Northern District of Alabama.

--Additional reporting by Christopher Cole, Anne Cullen, Nadia Dreid and Bryan Koenig. Editing by Emily Kokoll.

REF # 32

# BCBS insurers' \$2.7B antitrust settlement gets preliminary approval

Morgan Haefner - Monday, December 7th, 2020 [Print](#) | [Email](#)

A U.S. district judge gave preliminary approval for a \$2.7 billion settlement from Blue Cross Blue Shield insurers. The settlement is for an antitrust lawsuit that accuses the companies of conspiring to divide markets and avoid directly competing with each other.

In a [Nov. 30 order](#), U.S. District Judge R. David Proctor in the Northern District of Alabama gave early blessing to the settlement, which would resolve the claims in the original lawsuit brought by BCBS plan members.

The claims were first brought in 2012 under a class-action lawsuit filed on behalf of health plan members. The lawsuit alleged that anticompetitive behavior among BCBS plans has led to higher prices for members.

For a deeper dive into what the settlement entails, [click here](#).

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REF # 38

December 22, 2020

## Major Development in BCBS Association Antitrust Litigation

William Cavanaugh, Jr., Melissa Ginsberg, Jake Walter-Warner

Patterson Belknap Webb & Tyler LLP

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Antitrust litigation has been ongoing for several years in the U.S. District Court for the Northern District of Alabama against one of the biggest business associations in America, the Blue Cross Blue Shield Association (“BCBSA”) and its members. We previously wrote about this litigation [here](#) and [here](#). BCBSA is comprised of independent health insurers that license the “Blue Cross” and “Blue Shield” trademarks from BCBSA. As a condition of their licenses, BCBSA members grant each member exclusive geographic territories where each is allowed to use the Blue trademarks; some BCBSA members also happen to enjoy [very high market shares](#) in a number of their respective jurisdictions. There are also licensing rules that limit how much revenue each member can derive from lines of business that do not use the Blue trademarks. One of these rules was the “National Best Efforts Rule.” This rule required that two-thirds of each member’s national revenue be derived from Blue-branded plans. In other words, while each member could theoretically compete in others’ territories using brands that did not include the “Blue Cross” and “Blue Shield” trademarks, there was a cap on how much business a member could generate this way. These restrictions allegedly reduced competition between BCBSA members.

As middlemen to the provision of healthcare services, health insurers contract with entities providing health care services (e.g., hospitals, clinics, physicians) (“providers”) and entities using healthcare services (e.g., employers, individuals) (“subscribers”). Both providers and subscribers filed suits alleging they are harmed by the agreements among BCBSA members. These plaintiffs argue that, in the absence of the license conditions, providers would have made more money through higher reimbursements and subscribers would have saved more money by being able to shop around for coverage. While suits by these two groups of plaintiffs were coordinated for several years, they have now turned down very different paths.

## **Subscribers Settle**

On November 30, 2020, the court entered preliminary approval of a settlement agreement—the culmination of five years of settlement negotiations—between the subscriber plaintiffs and the defendants. The case settled at a crucial procedural juncture. The court had already ruled that the complained-of restrictions would be evaluated pursuant to the *per se* standard, meaning that no “procompetitive” rationales could be used to justify them. The parties had recently finished briefing motions for class certification of a nationwide injunctive relief class and an Alabama damages class. Rather than risk the judge’s ruling on class certification, the parties settled.

The settlement consists of a payment of \$2.67 billion and injunctive relief (to be monitored for five years by a monitoring committee). The injunctive relief included the elimination of the National Best Efforts rule, theoretically opening the door for members to more robustly compete with one another. One of the subscriber plaintiffs’ experts estimated that 97% of the plaintiffs’ damages were derived from the National Best Efforts rule, supporting plaintiffs’ theory that injunctive relief should enhance competition significantly.

## Providers Press Ahead

The provider plaintiffs' case, however, has not settled. Instead, the parties are pressing ahead on class certification.

Based on the testimony of their expert witnesses, they contend that a class of Alabama acute care hospitals can be certified pursuant to Federal Rule of Civil Procedure 23(b)(3). They argue common questions of law and fact predominate with regard to their claims that BCBSA's restraints have resulted in lower reimbursement rates than hospitals would have otherwise received, and this impact can be shown on a classwide (as compared to an individualized) basis. According to plaintiffs, this is because *every* hospital would have secured higher reimbursement rates from insurers, on average, if the BCBSA's restrictive rules were not in place. They argue the class has suffered aggregate damages of over \$4.3 billion.

Defendants oppose plaintiffs' class certification motion. Their primary argument is that determination of damages for each hospital needs to be made on an individualized basis. Plaintiffs' expert witnesses are able to calculate classwide damages only because they make erroneous assumptions about what the Alabama healthcare market would look like absent the BCBSA restrictions, Defendants claim. Defendants argue that competing BCBSA plans from other jurisdictions would not have simply entered the Alabama market and indiscriminately offered contracts to all hospitals; instead, these insurers would have selectively built their networks. In addition, the amount a new insurer would be willing to reimburse each hospital would vary based on whether the hospital was a "must-have" provider (meaning an insurer would be at a competitive disadvantage if the provider were out-of-network), a sole community provider, a hospital system, or had some other status or role. They also argue that BCBS Alabama could have reacted to market entry by *narrowing* its network, causing a reduction in reimbursement for certain providers.

The class certification motion is now fully briefed. Billions of dollars and further changes to the BCBSA system remain at stake. We will continue to monitor this litigation and provide updates on further developments.

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REF # 55

## Mobile Press-Register | LexisNexis | March 2, 2021

### **Blue Cross Settlement could expand insurance choices Benefits for insurance customers could go beyond refund checks**

A federal judge in Alabama signed off on a plan late last year to settle a lawsuit against several Blue Cross Blue Shield affiliates for \$2.7 billion because they allegedly hurt customers with rules limiting competition across state lines. But the eye-popping price tag might not be the most important part of the deal for Alabamians. The settlement would also eliminate limits on competition between different Blue Cross affiliates, potentially ushering in more competition and driving down prices for insurance customers. Blue Cross Blue Shield of Alabama controls more than 85% of the health insurance market in Alabama, the largest share of any state, according to the American Medical Association. "Antitrust law typically comes into play when someone has gotten too big for its britches and then dominates the market," said Jim McFerrin, an attorney who specializes in insurance issues. If it receives final approval later this year, the \$2.7 billion settlement will be one of the largest class action awards in history. It will likely be split among millions of individuals who purchased Blue Cross policies and those insured through work. Attorneys are also seeking 25% of the settlement, which could reduce the final amount paid to subscribers. It's unclear where the settlement money would come from, McFerrin said. Most Blue Cross affiliates have substantial cash reserves, but some companies could pass those costs on to customers, McFerrin said, unless the final settlement prohibits that from happening. "Common sense says that Blue Cross is going to recoup a lot of that by increasing premiums," he said. The settlement would change the way the affiliates do business. The Blue Cross Blue Shield Association has rules that limit how much competition can occur across state lines. The settlement would lift those caps. "The business practice changes provide significant relief to the Class in addition to the monetary benefit, providing for opportunities for more competition in the market for health insurance and allowing the potential for Class Members to achieve greater consumer choice, better product availability, and increased innovation," according to the settlement. Another portion of the lawsuit concerns providers who have sued Blue Cross. Those claims are still pending, said attorney Barry Ragsdale. "The proposed settlement seeks to increase competition among the various Blue Cross entities through a number of structural changes in the Blue Cross Blue Shield Association rules," Ragsdale said. In addition to opening the door to more competition from

other Blue Cross affiliates, the plan changes rules about how many companies can offer insurance coverage to large companies with employees in several states. The proposed settlement was approved by U.S. District Judge David Proctor in Birmingham last November but won't be finalized until October 2021. The litigation was first filed in 2012 and involves 36 Blue Cross Blue Shield affiliates. "[Plaintiffs] obtained and reviewed over 75 million pages of documents and over 100 terabytes of data, took over 100 depositions, and worked with experts on liability and damages analyses," according to the proposed settlement. Experts who testified in the lawsuit said the lack of competition could have cost consumers in Alabama between \$18 billion and \$36 billion. A spokesman for the Blue Cross Blue Shield Association denied any wrongdoing. "We reject claims plaintiffs made in the lawsuit," according to a statement. "However, to reach a settlement, we've agreed to make some operational changes and provide payment to members of the class involved in the case. Settling now is the right action at the right time because it allows us to remain focused on the goal we've had for more than 90 years: improving access to quality healthcare for all Americans and the health of our local communities." Blue Cross Blue Shield of Alabama, which operates as a nonprofit, has long touted its high satisfaction ratings and low rates. In recent years, researchers at the U.S. Department of Health and Human Services found people in Alabama paid some of the lowest health insurance rates in the country. Blue Cross covers more than 2 million people in the state. McFerrin said competitive changes won't happen overnight. Newcomers to the insurance market in Alabama will need to create provider networks and infrastructure in the state. That may take between three and 10 years, he said. "In five years or 10 years, could our health insurance look different because of this settlement?" McFerrin asked. "I think it could." Affiliates competing across state lines won't be able to use the Blue Cross name in new markets, which could test the strength of the brand. McFerrin said people often associate the name with quality. "Blue Cross Blue Shield has always been considered kind of a gold standard in our area," McFerrin said. "But in the end, it's just a name." Customers in the market for insurance may put more weight on the cost of the product, he said. "In my experience, people want the best medical insurance they can afford," McFerrin said. "But if they have to pay for it, they go for price."

REF # 66



COMPLIANCE CONFIDENCE

# Understanding the BCBS Class Action Settlement

AUTHOR [Scott Wham, JD](#) DATE 4.22.2021 READ TIME < 1 minute

**After eight years of litigation, the Blue Cross Blue Shield Association companies reached an agreement on October 30, 2020, pertaining to their alleged national anti-competitive policies. The legal dispute claimed a violation of antitrust law by splitting insurance markets to avoid competition among its member companies.**

A tentative settlement was reached with Blue Cross Blue Shield agreeing to pay settlement class members. This \$1.9 billion settlement applies to individuals who have branded BCBS individual policies, some self-insured groups, fully insured groups and the employees of these companies. Take a closer look at the Blue Cross Blue Shield antitrust class action settlement details and the options available to employers should they decide to file claims.

Dive into this quick-hitting webinar to better understand specifics around the settlement, including:

- how the settlement is being allocated,
- considerations for sharing with employees,
- determining if you should involve a third-party or “settlement” vendor when filing,
- and the BCBS business practice changes to expect going forward.

[WATCH NOW](#)

**Looking for more? Check out the latest Health Care Happenings Podcast episode, “A Conversation About the Blue Cross Blue Shield Antitrust Settlement.”**

## ABOUT THE AUTHORS



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Scott dedicates his time to gaining a comprehensive understanding of how the changing health care climate impacts employers of various sizes. He is passionate about helping employers leverage their health and welfare benefits platform to optimize the vitality of their workforce in a conscientious and compliant manner.

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News

## Here's how you can claim part of the giant \$2.7 billion Blue Cross settlement

Updated Apr 30, 6:54 AM; Posted Apr 29, 11:13 AM



The Blue Cross Blue Shield Association and sister plans agreed to pay \$2.7 billion as part of a settlement related to antitrust allegations. The company has denied any wrongdoing. (Matt Smith | For NJ Advance Media) NJ Advance Media

By [Karin Price Mueller | NJ Advance Media for NJ.com](#)

If you were covered by a [Blue Cross insurance plan](#) between February 2008 and October 2020, you could [cash in](#) on one of the [biggest healthcare settlements](#) in U.S. history.

The Blue Cross Blue Shield Association and associated plans agreed to pay [\\$2.7 billion](#) as part of a settlement related to [antitrust allegations](#). The company has denied any wrongdoing.

About \$1.9 billion will go to eligible subscribers and about \$700 million will go to the attorneys, according to the settlement.

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Plaintiffs in the case claimed that Blue Cross plans split up territories to reduce competition, so they were able to charge higher rates for plans, in violation of antitrust laws. Blue Cross argued its business strategy reduced costs and provided more access to consumers.

People have until Nov. 5, 2021, to file a claim online at [www.BCBSsettlement.com](#). Or they can mail a claim to Blue Cross Blue Shield Settlement c/o JND Legal Administration, P.O. Box 91390, Seattle, WA 98111.

You also have the ability to opt out of the settlement, retaining the right to file a separate lawsuit, or you can object to the lawsuit by sending a letter to the court, postmarked by July 28, 2021, to the same address.

You can also send questions to [info@BCBSsettlement.com](mailto:info@BCBSsettlement.com).

The case was filed in federal court in Alabama, where Blue Cross controls more than 85% of the health insurance market, according to the American Medical Association. The settlement is expected to be finalized by the end of the year.

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*Karin Price Mueller may be reached at [KPriceMueller@NJAdvanceMedia.com](mailto:KPriceMueller@NJAdvanceMedia.com).*

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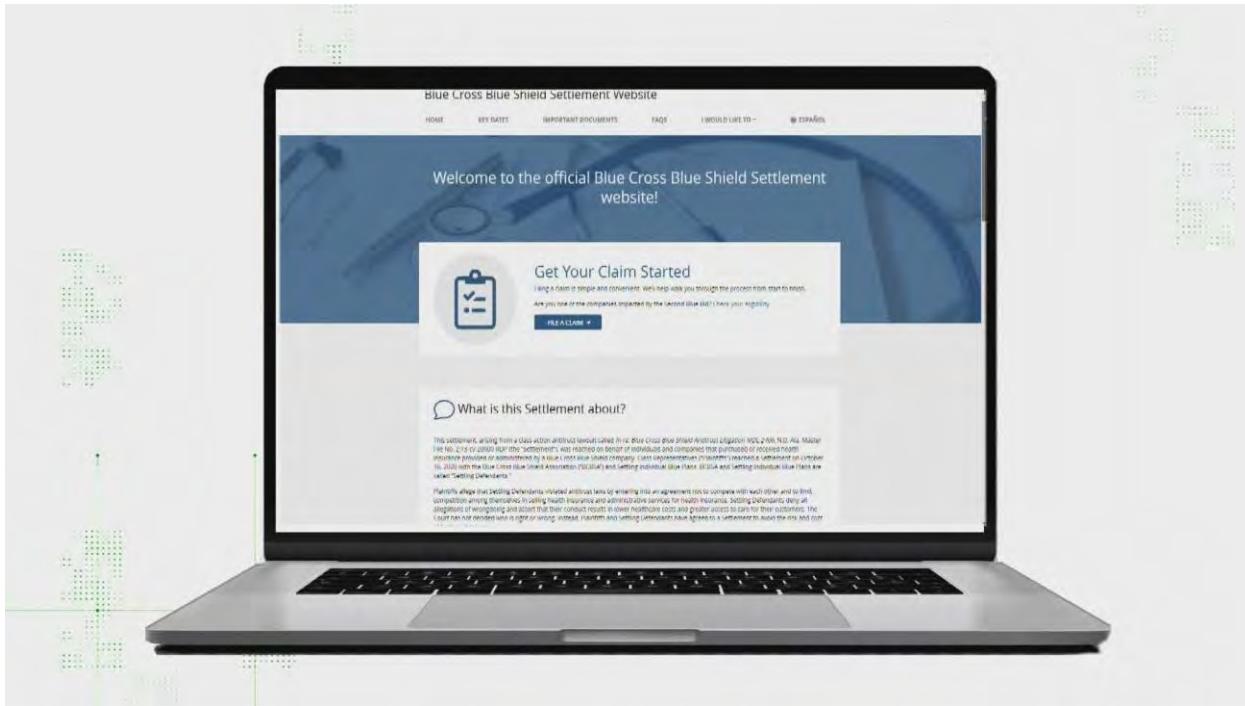
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56°



# VERIFY: Yes, the Blue Cross Blue Shield settlement is real

Blue Cross Blue Shield reached a \$2.67 billion settlement in a class-action antitrust lawsuit in October 2020.



Volume 90%

Author: Jay Wallis (WFAA)

Published: 11:40 AM PDT April 30, 2021

Updated: 11:40 AM PDT April 30, 2021

DALLAS — Did you receive a postcard in the mail about a \$2.67 billion settlement involving Blue Cross Blue Shield insurance? Many are asking online whether these postcards are legitimate and if the settlement is real.

## THE QUESTION

Is the Blue Cross Blue Shield settlement real?

## THE SOURCES

- Blue Cross Blue Shield
- United States District Court for the Northern District of Alabama Southern Division

## THE ANSWER

In October 2020, Blue Cross Blue Shield reached a \$2.67 billion settlement in class-action antitrust lawsuit. A judge has not given final approval to the settlement.

## **WHAT WE FOUND**

This settlement stemmed from an Alabama class-action antitrust lawsuit titled *In re: Blue Cross Blue Shield Antitrust Litigation MDL 2406*.

Blue Cross reached the settlement on Oct. 16, 2020 with the Blue Cross Blue Shield Association (“BCBSA”) and Settling Individual Blue Plans.

In the class-action suit, plaintiffs alleged that Blue Cross “violated antitrust laws by entering into an agreement not to compete with each other and to limit competition among themselves in selling health insurance and administrative services for health insurance.” The plaintiffs argued that Blue Cross was able to charge higher rates for plans through the practice of limiting competition.

Blue Cross denied the allegations saying the insurance provider’s practices reduced healthcare costs and gave customers more access to care.

If given final approval, the settlement will create a \$2.67 billion settlement funds and would become one of the largest health care settlements in U.S. history.

According to the terms of the settlement, about \$1.9 billion will go to eligible subscribers who file claims. The remaining \$700 million will go to the case’s attorneys.

Blue Cross agreed to make changes to business practices that they say will increase marketplace competition.

## **WHO IS ELIGIBLE?**

If you were covered by Blue Cross between February of 2008 and October of 2020, you may be eligible for a settlement payment.

The Court said two settlement classes are included in this case—a Damages Class and an Injunctive Relief Class.

You may be eligible if you are an individual subscriber, insured group or self-funded account within these two classes.

Class Members who submit valid claims may receive a cash payment from the net settlement fund.

## **CAN I OPT OUT?**

If you exclude yourself or opt out of the settlement, you have the option to file a separate lawsuit against Blue Cross Blue Shield. If you do this, you will not receive any money from the settlement.

You can also object to the settlement by writing a letter to the court. You can object only if you do not exclude yourself from the Settlement Classes.

If you want to opt out or object, you must do so by July 28, 2021.

If you do nothing, you will remain a member of the two settlement classes and be bound by the settlement. However, if you had been entitled to share in the settlement proceeds, you will not get a payment.

To see if you qualify and file a claim, you need to visit [bcbssettlement.com](http://bcbssettlement.com) and click on the "File A Claim" tab at the top of the page.

To make a claim or receive a payment, you must file a claim online or by mail postmarked by Nov. 5, 2021.

Claims may be submitted online or by mail to:

Blue Cross Blue Shield Settlement  
c/o JND Legal Administration  
PO Box 91390  
Seattle, WA 98111

REF # 85

# Blue Health Insurers Drop Revenue Rule That Limited Competition

05/03/2021 | 01:33pm EDT



By Anna Wilde Mathews

The Blue Cross Blue Shield Association said it dropped a rule that limited competition among its member insurers, moving to implement a key aspect of an antitrust settlement the companies reached last year with customers.

The settlement hasn't won final approval from the federal judge presiding over the litigation, so it isn't being fully implemented. But last Tuesday the group of insurers formally lifted a cap on the share of the members' revenue that could come from business not under a Blue Cross Blue Shield brand, one of the moves it had promised under the settlement.

Previously, the rule was that two-thirds of a Blue licensee's national net revenue from health plans and related services must stem from Blue-branded business.

The Blue Cross Blue Shield Association includes 35 insurers, each of which typically hold exclusive rights to the Blue Cross and Blue Shield brands within a certain territory, a setup that would remain intact under the antitrust settlement.

However, lifting the revenue cap could allow the Blue insurers to compete more against one another by expanding their non-Blue businesses, experts said. Dropping the limit "certainly should increase competition, " said Tim Greaney, a professor at the University of California Hastings College of the Law, though he said it isn't clear how quickly it would have an effect.

In a statement, the Blue Cross Blue Shield Association said its move was consistent with the settlement. "Blue Cross and Blue Shield companies will remain focused on the goal we have had for over 90 years -- improving access to quality healthcare for all Americans -- as the settlement continues through the Court approval process and is implemented according to terms of the Agreement," the group said.

Anthem Inc. and Health Care Service Corp. are among the largest Blue insurers. Together, all of the Blue companies cover more than 100 million Americans.

David Boies, a lead attorney for the Blue customer antitrust plaintiffs, said elimination of the restriction "will substantially increase competition in health insurance markets."

The antitrust claims were first brought in 2012 as a proposed class action on behalf of employers and individual policyholders with Blue coverage. The suit alleged that the insurers illegally conspired to divvy up markets and avoid competing against one another, driving up customers' prices.

The settlement has won preliminary approval from U.S. District Judge R. David Proctor, in Birmingham, Ala., who wrote that the deal's "structural relief is historic and substantial." The settlement requires the insurers to pay about \$2.7 billion, largely to customers, and take steps that include dropping the national revenue cap.

The revenue cap was one impediment to Anthem's \$48 billion deal to buy Cigna Corp., which ended up foundering largely over its own antitrust issues. That deal could have added substantially to Anthem's non-Blue revenue.

Still, the settlement wouldn't unwind the licensing structure that allows the Blue insurers to hold exclusive rights to their brands in certain geographies.

The Blue insurers are still facing a parallel antitrust suit filed on behalf of healthcare providers, which alleges that the insurers illegally pushed down the payments providers receive for medical services. Both suits, consolidated in the Alabama federal court, targeted the association and all the insurers to which it licenses Blue brands.

One reason for the insurers to take action on the revenue rule might be to improve their position in the healthcare providers' ongoing suit, by removing one practice that could be viewed as anticompetitive, Mr. Greaney said.

In response to a question about why the Blue association moved now to get rid of the revenue rule, a spokeswoman said its board made the decision "based on the terms of the settlement. It's one step in a series that we will take to fulfill our commitments under the settlement agreement."

Write to Anna Wilde Mathews at anna.mathews@wsj.com

(END) Dow Jones Newswires

REF # 97

5/11/2021

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(<http://wiyy2.itmwpb.com>)



(<https://player.listenlive.co/35541>).

**MENU**

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Posted May 10, 2021 @ 8:40 pm

## Want to claim part in Blue Cross' \$2.7 billion settlement? Here's what you should know

Anyone who was covered by certain Blue Cross Blue Shield health insurance from between February 2008 and October 2020 could be eligible to be part of a \$2.7 billion settlement as part of a class-action lawsuit. (<https://www.bcbssettlement.com/>)

The lawsuit claims that Blue Cross violated antitrust laws by reducing competition in their areas, allowing for higher rates on some plans.

However, Blue Cross denies allegations of wrongdoing, claiming its actions resulted in lower health care costs and greater access to customers and has agreed to a settlement.

Here's what you should know:

### IS THE BLUE CROSS SETTLEMENT REAL?

Yes, the Blue Cross Blue Shield Settlement (<https://www.bcbssettlement.com/>) is legit, and some involved may have even received postcards in the mail notifying them of the lawsuit.

### WHAT IS A CLASS-ACTION LAWSUIT?



5/11/2021

Want to claim part in Blue Cross' \$2.7 billion settlement? Here's what you should know | 98 Rock Baltimore

Within a class-action lawsuit, one or more people or businesses sue on behalf of others who may have similar claims, otherwise known as "class members." The class members themselves do not have to file an individual lawsuit to participate, but can opt-out of the lawsuit if needed.

## HOW DO I KNOW IF I CAN CLAIM PART IN THE BLUE CROSS SETTLEMENT?

Individuals, insured groups or self-funded accounts that purchased or were enrolled in a Blue Cross Blue Shield health insurance or administrative services plan between February 2008 and October 2020 could be included.

However, the settlement class period is different among accounts.

For individuals and insured groups, the settlement class period is between Feb. 7, 2008, through Oct. 16, 2020. For self-funded accounts, the settlement class period is between Self-Funded Accounts is from Sept. 1, 2015, through Oct. 16, 2020.

It's important to note that dependents, beneficiaries and nonemployees are not eligible for a payment.

## HOW MUCH MONEY WILL I GET FROM THE BLUE CROSS SETTLEMENT?

It depends.

Although Blue Cross does not give a specific number claimants could receive, it does say the amount would be based on:

- Number of claims filed
- Premiums paid during class period
- Whether the insurance was fully insured or self-funded

## HOW AND WHEN DO I FILE A CLAIM?

Anyone looking to file a claim can do so through [Blue Shield's Online Claim Form here](https://secure.bcbsssettlement.com/) (<https://secure.bcbsssettlement.com/>), or mail a copy of the claim form to:

Blue Cross Blue Shield Settlement

c/o JND Legal Administration

PO Box 91390



5/11/2021

Want to claim part in Blue Cross' \$2.7 billion settlement? Here's what you should know | 98 Rock Baltimore

Seattle, WA 98111

All claims, whether online or by mail, need to be filed by Nov. 5, 2021.

## WHAT HAPPENS IF I DO NOTHING?

Anyone who does not file a claim won't receive a payment and will be bound by the settlement. It also gives up the right to sue or continue to sue Blue Cross for the claims in the case.

## WHEN IS THE NEXT HEARING?

The next hearing will be Oct. 20, 2021, and claimants will be able to speak to the court about the fairness of the settlement.

 FACEBOOK

 GOOGLE+

 TWITTER

 LINKEDIN

 PINTEREST

◀ (<https://www.98online.com/2021/05/10/want-to-claim-part-in-blue-cross-2-7-billion-settlement-heres-what-you-should-know/>) ▶ (<https://www.98online.com/2021/05/10/the->



## SECTION 2

PRESS RELEASE - EXACT PICKUP LIST OF MEDIA OUTLETS

**EXACT MATCH PICKUP**

	Outlet Name	Language	Location	Source Type	Industry
1	Zeta 92.3 FM	Spanish	United States	Broadcast Media	Multicultural & Demographic
2	Yahoo! Finance	English	Global	Online News Sites & Other Influencers	Media & Information
3	WZZS-FM 106.9 La Número Uno / WTMY-AM 1280 La Número Uno	Spanish	United States	Broadcast Media	Multicultural & Demographic
4	WZSP-FM 105.3 La Zeta [Nocatee, FL]	Spanish	United States	Broadcast Media	Multicultural & Demographic
5	Wyoming Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
6	WWZW-FM Classic story96.7 [Lexington, VA]	English	United States	Broadcast Media	Media & Information
7	WWDN 104.5 FM [Danville, VA]	English	United States	Broadcast Media	Media & Information
8	WTNZ FOX-43 (Knoxville, TN)	English	United States	Broadcast Media	Media & Information
9	WRDE-TV CBS [Milton, DE]	English	United States	Broadcast Media	Media & Information
10	WRAL-TV CBS-5 [Raleigh, NC]	English	United States	Broadcast Media	Media & Information
11	WPGX-TV FOX-28 [Panama City, FL]	English	United States	Broadcast Media	Media & Information
12	WMPW 105.9 FM [Danville, VA]	English	United States	Broadcast Media	Media & Information
13	WLUS 98.3 FM [Clarksville, VA]	English	United States	Broadcast Media	Media & Information
14	WKSX 101.9 FM [South Boston, VA]	English	United States	Broadcast Media	Media & Information
15	Wisconsin Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
16	Winslow, Evans & Crocker	English	United States	Online News Sites & Other Influencers	Financial
17	WICZ-TV FOX-40 [Binghamton, NY]	English	United States	Broadcast Media	Media & Information
18	WHLF 95.3 FM [South Boston, VA]	English	United States	Broadcast Media	Media & Information
19	West Virginia Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
20	WDFX-TV FOX-34 [Dothan, AL]	English	United States	Broadcast Media	Media & Information

21	WBOC-TV CBS-16 [Salisbury, MD]	English	United States	Broadcast Media	Media & Information
22	Washington Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
23	Wapakoneta Daily News [Wapakoneta, OH]	English	United States	Newspaper	Media & Information
24	Virginia Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
25	Vermont Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
26	Value Investing News	English	United States	Financial News Service	Financial
27	Valor Agregado - Gestão e Tecnologia - Mundo Corporativo	English	Brazil	Blog	Tech
28	Valley City Times-Record [Valley City, ND]	English	United States	Newspaper	Media & Information
29	Utah Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
30	Univision Minnesota	Spanish	United States	Broadcast Media	Multicultural & Demographic
31	Univision Kansas City	Spanish	United States	Broadcast Media	Multicultural & Demographic
32	Univision Canada	Spanish	Canada	Broadcast Media	Multicultural & Demographic
33	Transporte, Logística & Comercio Internacional	Spanish	United States	Newspaper	Multicultural & Demographic
34	Townhall Finance	English	United States	Financial News Service	Media & Information
35	Ticker Technologies	English	United States	Financial News Service	Financial
36	The Saline Courier [Benton, AR]	English	United States	Newspaper	Media & Information
37	The Punxsutawney Spirit [Punxsutawney, PA]	English	United States	Newspaper	Media & Information
38	The Post and Mail [Columbia City, IN]	English	United States	Newspaper	Media & Information
39	The Podcast Park	English	United States	Broadcast Media	Media & Information
40	The Pilot News [Plymouth, IN]	English	United States	Newspaper	Media & Information
41	The Observer News Enterprise [Newton, NC]	English	United States	Newspaper	Media & Information
42	The News	English	Mexico	Online News Sites & Other Influencers	Media & Information

43	The Newport Daily Express [Newport, VT]	English	United States	Newspaper	Media & Information
44	The Morning News [Blackfoot, ID]	English	United States	Newspaper	Media & Information
45	The Kane Republican [Kane, PA]	English	United States	Newspaper	Media & Information
46	The Evening Leader [St. Marys, OH]	English	United States	Newspaper	Media & Information
47	The Deer Park Tribune [Deer Park, WA]	English	United States	Newspaper	Media & Information
48	The Daily Press [St. Marys, PA]	English	United States	Newspaper	Media & Information
49	The Costa Rica News - TCRN	English	Costa Rica	Online News Sites & Other Influencers	Media & Information
50	The Chronicle Journal [Thunder Bay, ON]	English	Canada	Newspaper	Media & Information
51	The Antlers American [Antlers, OK]	English	United States	Newspaper	Media & Information
52	Texas Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
53	Tennessee Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
54	Tamar Securities	English	United States	Online News Sites & Other Influencers	Financial
55	Sweetwater Reporter [Sweetwater, TX]	English	United States	Newspaper	Media & Information
56	SuperLatina TV	Spanish	United States	Blog	Multicultural & Demographic
57	Sunnyside Sun	English	United States	Newspaper	Media & Information
58	Suncoast News Network [Sarasota, FL]	English	United States	Broadcast Media	Media & Information
59	StreetInsider	English	United States	Online News Sites & Other Influencers	Financial
60	StockHouse.com	English	Canada	News & Information Service	Financial
61	Starkville Daily News [Starkville, MS]	English	United States	Newspaper	Media & Information
62	Spoke	English	United States	News & Information Service	Business Services
63	Southern Sports Today	English	United States	Broadcast Media	Media & Information
64	South Dakota Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic

65	South Carolina Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
66	Somos Revista	Spanish	United States	Magazine	Multicultural & Demographic
67	Ser Padres	Spanish	United States	Magazine	Multicultural & Demographic
68	Seeking Alpha	English	United States	Online News Sites & Other Influencers	Financial
69	Rockford Register Star [Rockford, IL]	English	United States	Newspaper	Media & Information
70	Ridgway Record [Ridgway, PA]	English	United States	Newspaper	Media & Information
71	RFD-TV's The American Rodeo	English	United States	Online News Sites & Other Influencers	Media & Information
72	RFD-TV [Nashville, TN]	English	United States	Broadcast Media	Media & Information
73	Revista MUJERES Internacional	Spanish	United States	Magazine	Multicultural & Demographic
74	ProfitQuotes	English	United States	Financial News Service	Financial
75	Prensa Mexicana	Spanish	United States	Newspaper	Multicultural & Demographic
76	PR Newswire	Spanish	Global	PR Newswire	Media & Information
77	PR Newswire	English	Global	PR Newswire	Media & Information
78	Poteau Daily News [Poteau, OK]	English	United States	Newspaper	Media & Information
79	Portada-Online.com	English	United States	News & Information Service	Multicultural & Demographic
80	Play 96.5 FM	Spanish	Puerto Rico	Broadcast Media	Multicultural & Demographic
81	Pittsburgh Post-Gazette [Pittsburgh, PA]	English	United States	Newspaper	Media & Information
82	Pennsylvania Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
83	One News Page United States Edition	English	United States	Online News Sites & Other Influencers	Media & Information
84	One News Page Global Edition	English	Global	Online News Sites & Other Influencers	Media & Information
85	Omak-Okanogan County Chronicle	English	United States	Newspaper	Media & Information
86	Oklahoman [Oklahoma City, OK]	English	United States	Newspaper	Media & Information

87	Ohio Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
88	Next Wave Group	English	United States	Online News Sites & Other Influencers	Media & Information
89	NewsBlaze US	English	United States	Online News Sites & Other Influencers	Media & Information
90	New York Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
91	New Jersey Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
92	Nevada Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
93	Nancy Clara	Spanish	United States	Blog	Multicultural & Demographic
94	myMotherLode.com [Sonora, CA]	English	United States	Newspaper	Media & Information
95	My Silly Little Gang	English	United States	Blog-Parental Influencers	Retail & Consumer
96	Musica Roots	Spanish	United States	Online News Sites & Other Influencers	Multicultural & Demographic
97	Mundiario	Spanish	Spain	Newspaper	Multicultural & Demographic
98	Morningstar	English	Global	Financial Data, Research & Analytics	Financial
99	Mississippi Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
100	Minyanville	English	United States	Online News Sites & Other Influencers	Financial
101	Minster Community Post [Minster, OH]	English	United States	Newspaper	Media & Information
102	Michigan Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
103	Mercadotecnia y Medios	Spanish	United States	News & Information Service	Multicultural & Demographic
104	Mega TV	Spanish	United States	Broadcast Media	Multicultural & Demographic
105	Mega 96.3 FM	Spanish	United States	Broadcast Media	Multicultural & Demographic
106	MarketWatch	English	United States	Online News Sites & Other Influencers	Financial
107	Manhattanweek	English	United States	Online News Sites & Other Influencers	Media & Information
108	Mammoth Times [Mammoth Lakes, CA]	English	United States	Newspaper	Media & Information

109	Malvern Daily Record [Malvern, AR]	English	United States	Newspaper	Media & Information
110	Magazines Today	English	Global	Trade Publications	Media & Information
111	Luis Jimenez	Spanish	United States	Broadcast Media	Multicultural & Demographic
112	Latino Newspaper (SC)	Spanish	United States	Newspaper	Multicultural & Demographic
113	Latin Business Today	English	United States	Online News Sites & Other Influencers	Multicultural & Demographic
114	La Zeta 93.7 FM	Spanish	Puerto Rico	Broadcast Media	Multicultural & Demographic
115	La Voz Hispanic News	Spanish	United States	Newspaper	Multicultural & Demographic
116	La Red Hispana	Spanish	United States	Online News Sites & Other Influencers	Multicultural & Demographic
117	La Raza 97.9 FM	Spanish	United States	Broadcast Media	Multicultural & Demographic
118	La Raza 93.3 FM	Spanish	United States	Broadcast Media	Multicultural & Demographic
119	La Prensa Hispana	Spanish	United States	Newspaper	Multicultural & Demographic
120	La Nueva 94 FM	Spanish	Puerto Rico	Broadcast Media	Multicultural & Demographic
121	La Nación Hispana	Spanish	United States	Newspaper	Multicultural & Demographic
122	La Mega 97.9 FM	Spanish	United States	Broadcast Media	Multicultural & Demographic
123	La Mega 106.9 FM	Spanish	Puerto Rico	Broadcast Media	Multicultural & Demographic
124	La Ley 107.9 FM	Spanish	United States	Broadcast Media	Multicultural & Demographic
125	La Familia de Broward	Spanish	United States	Magazine	Multicultural & Demographic
126	La Doctora Isabel	Spanish	United States	Broadcast Media	Multicultural & Demographic
127	KTVN-TV CBS-2 [Reno, NV]	English	United States	Broadcast Media	Media & Information
128	KSED 107.5 FM [Sedona, AZ]	English	United States	Broadcast Media	Media & Information
129	KMLK 98.7-FM [El Dorado, AR]	English	United States	Broadcast Media	Media & Information
130	KJUN-TV / KFOL-TV HTV10 [Houma, LA]	English	United States	Broadcast Media	Media & Information

131	KHQ-TV NBC-6 [Spokane, WA]	English	United States	Broadcast Media	Media & Information
132	KFLX 92.5/104.1 FM [Flagstaff, AZ]	English	United States	Broadcast Media	Media & Information
133	Jotup	English	Global	Online News Sites & Other Influencers	Business Services
134	Ismael Cala Foundation	Spanish	United States	Blog	Multicultural & Demographic
135	Ismael Cala	Spanish	United States	Blog	Multicultural & Demographic
136	Inyo Register [Bishop, CA]	English	United States	Newspaper	Media & Information
137	Intern Daily	English	United States	Trade Publications	Medical/ Healthcare
138	InsuranceNewsNet.com	English	United States	Trade Publications	Financial
139	InsuranceNewsNet.com	English	United States	Trade Publications	Financial
140	Illinois Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
141	IBTimes	English	United States	Newspaper	Media & Information
142	Hoy en Delaware	Spanish	United States	Newspaper	Multicultural & Demographic
143	Hola Arkansas!	English	United States	Newspaper	Multicultural & Demographic
144	Hola Amigos	Spanish	United States	Newspaper	Multicultural & Demographic
145	Hispanic Communications Network	Spanish	United States	Online News Sites & Other Influencers	Multicultural & Demographic
146	Great American Financial Resources	English	United States	News & Information Service	Financial
147	Gonzaga Bulletin	English	United States	Newspaper	Media & Information
148	Georgia Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
149	Fuente Latina	Spanish	United States	Blog	Multicultural & Demographic
150	Franklin Credit Management	English	United States	Online News Sites & Other Influencers	Financial
151	Florida Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
152	FinancialContent - PR Newswire	English	United States	Financial News Service	Media & Information
153	Fat Pitch Financials	English	United States	Online News Sites & Other Influencers	Financial

154	EstilosBlog	Spanish	United States	Blog	Multicultural & Demographic
155	El Zol 106.7 FM	Spanish	United States	Broadcast Media	Multicultural & Demographic
156	El Perico	English	United States	Online News Sites & Other Influencers	Multicultural & Demographic
157	El Perico	Spanish	United States	Online News Sites & Other Influencers	Multicultural & Demographic
158	El Lider USA	Spanish	United States	Newspaper	Multicultural & Demographic
159	El Latino Digital	Spanish	United States	Newspaper	Media & Information
160	El Hispano Para Todos	Spanish	United States	Newspaper	Multicultural & Demographic
161	El Colombiano	Spanish	United States	Newspaper	Multicultural & Demographic
162	Dow Theory Letters	English	United States	Banking & Financial Institutions	Financial
163	Diaspora Dominicana	Spanish	Dominican Republic	News & Information Service	Media & Information
164	Decatur Daily Democrat [Decatur, IN]	English	United States	Newspaper	Media & Information
165	D'Latinos	Spanish	United States	News & Information Service	Multicultural & Demographic
166	Daily Times Leader [West Point, MS]	English	United States	Newspaper	Media & Information
167	Daily Penny Alerts	English	United States	Online News Sites & Other Influencers	Financial
168	Daily Journal [Tupelo, MS]	English	United States	Newspaper	Media & Information
169	Daily Herald [Chicago, IL]	English	United States	Newspaper	Media & Information
170	Conexion Florida	Spanish	United States	Online News Sites & Other Influencers	Multicultural & Demographic
171	Conexión Hispana	Spanish	United States	Broadcast Media	Multicultural & Demographic
172	Colorado Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
173	ChicaNOL	Spanish	United States	Blog	Multicultural & Demographic
174	Centro Tampa	Spanish	United States	Newspaper	Multicultural & Demographic
175	Canadian Journalism Forum on Violence and Trauma	English	Canada	Online News Sites & Other Influencers	Policy & Public Interest

176	California Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
177	Business Class News	English	United States	Blog	Media & Information
178	Buffalo News [Buffalo, NY]	English	United States	Newspaper	Media & Information
179	Borger News Herald [Borger, TX]	English	United States	Newspaper	Media & Information
180	Bocalista	Spanish	Puerto Rico	Online News Sites & Other Influencers	Multicultural & Demographic
181	Big Spring Herald [Big Spring, TX]	English	United States	Newspaper	Media & Information
182	Benzinga	English	United States	Online News Sites & Other Influencers	Financial
183	Benefit Plans Administrative Services	English	United States	Online News Sites & Other Influencers	Financial
184	Axcess News	English	United States	Online News Sites & Other Influencers	Media & Information
185	Ascensus	English	United States	Online News Sites & Other Influencers	Financial
186	AP NEWS [The Associated Press]	English	United States	News & Information Service	Media & Information
187	AngelaCARES	English	United States	Online News Sites & Other Influencers	Medical/ Healthcare
188	Amor 93.1 FM	Spanish	United States	Broadcast Media	Multicultural & Demographic
189	AmericaTeVe	Spanish	United States	News & Information Service	Multicultural & Demographic
190	Alaska Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
191	Alabama Latino News	Spanish	United States	News & Information Service	Multicultural & Demographic
192	Ahora News (New Jersey)	Spanish	United States	Newspaper	Multicultural & Demographic
193	1stCounsel	English	United States	Online News Sites & Other Influencers	Policy & Public Interest
194	1st Discount Brokerage	English	United States	Financial News Service	Financial

**TWITTER**

	Twitter Handle	Link	Potential Audience	Published on
1	(Z73Xo)	<a href="http://twitter.com/Z73Xo/statuses/1388555885971128326">http://twitter.com/Z73Xo/ statuses/1388555885971128326</a>	217 followers	2021-05-01 18:08:15
2	Pat (PattyQ77)	<a href="http://twitter.com/PattyQ77/statuses/1386795827960635393">http://twitter.com/PattyQ77/ statuses/1386795827960635393</a>	138 followers	2021-04-26 21:34:25
3	TNF-a (TNFa15)	<a href="http://twitter.com/TNFa15/statuses/1387616001307680776">http://twitter.com/TNFa15/ statuses/1387616001307680776</a>	102 followers	2021-04-29 03:53:30
4	Sinister Exalted Pants (3Dghostchase)	<a href="http://twitter.com/3Dghostchase/statuses/1389924168376926215">http://twitter.com/3Dghostchase/ statuses/1389924168376926215</a>	13 followers	2021-05-05 12:45:19
5	serene (r28363010)	<a href="http://twitter.com/r28363010/statuses/1387865130759712770">http://twitter.com/r28363010/ statuses/1387865130759712770</a>	2 followers	2021-04-29 20:23:27

# EXHIBIT M



**If you purchased or were enrolled in a Blue Cross or  
Blue Shield health insurance or administrative services  
plan between 2008 and 2020, a \$2.67 billion  
Settlement may affect your rights**

HAGA CLIC AQUÍ PARA  
ESPAÑOL

*Para una notificación en español, visite [www.BCBSSettlement.com/espanol](http://www.BCBSSettlement.com/espanol)*

**SEATTLE, April 6, 2021** — On November 30, 2020, the Honorable R. David Proctor of the U.S. District Court for the Northern District of Alabama granted preliminary approval of the class action Settlement in the *In re: Blue Cross Blue Shield Antitrust Litigation MDL 2406*, N.D. Ala. Master File No. 2:13-cv-20000-RDP.

**What is the lawsuit about?**

Plaintiffs claim that the Blue Cross Blue Shield Association and Settling Individual Blue Plans (collectively, "Settling Defendants") violated antitrust laws by illegally entering into an agreement not to compete with each other and to restrict competition among themselves in selling health insurance and administrative services for health insurance. Settling Defendants deny all claims and have asserted that their conduct results in lower health care costs and greater access to care for its customers. The Court has not decided who is right.

**Who is affected?**

You may be eligible to receive payment if you are an **Individual, Insured Group** (and their employees) or **Self-Funded Account** (and their employees) that purchased or were enrolled in a Blue Cross or Blue Shield health insurance or administrative services plan during one of the two Settlement Class Periods. Government accounts are excluded from the Class.

The Settlement Class Period for **Individuals** and **Insured Groups** is from February 7, 2008 through October 16, 2020. The Settlement Class Period for **Self-Funded Accounts** is from September 1, 2015 through October 16, 2020. Dependents, beneficiaries (including minors), and non-employees are **NOT** eligible to receive payment.

All **Individuals, Insured Groups, and Self-Funded Accounts** that purchased or were enrolled in a Blue Cross or Blue Shield health insurance or administrative services plan from February 7, 2008 through October 16, 2020 will also benefit from the provisions of the Settlement requiring Settling Defendants to change certain of their practices that were alleged to be anticompetitive. Dependents, beneficiaries (including minors), and non-employees will benefit from this part of the Settlement.

### What can you get from the Settlement?

Class Members who submit valid claims may receive cash benefits from the Net Settlement Fund. That Fund is estimated to be approximately \$1.9 billion, after deducting attorneys' fees, administration expenses and other costs from the \$2.67 billion Settlement Fund. For more details on the Plan of Distribution, read the Long Form Notice available at [www.BCBSsettlement.com](http://www.BCBSsettlement.com). You can also call (888) 681-1142. Settling Defendants also agreed to changes in the way they do business to increase the opportunities for competition in the market for health insurance.

### How do you get a payment?

You must submit a valid claim online at [www.BCBSsettlement.com](http://www.BCBSsettlement.com) or postmarked by mail no later than **November 5, 2021**. Claim Forms are available at [www.BCBSsettlement.com](http://www.BCBSsettlement.com) or may be requested by calling (888) 681-1142.

### FILE A CLAIM

### What are your other options?

If you do not want to be legally bound by the Settlement, you may send a request for exclusion ("opt out"). You will receive no money, but you will keep your right to sue Settling Defendants for the claims in this case. If you do not exclude yourself, you may object to the Settlement. You will still be bound by the Settlement if your objection is rejected. For details on how to opt out or object, read the Long Form Notice available at [www.BCBSsettlement.com](http://www.BCBSsettlement.com). You can also call (888) 681-1142.

Opt outs and objections must be postmarked by **July 28, 2021**. The Court will hold a Fairness Hearing on Wednesday, October 20, 2021 at 10:00 a.m. CT, to consider whether the Settlement is fair, reasonable, and adequate. The Court will also decide whether to approve attorneys' fees and expenses up to \$667.5 million and \$101 million for additional costs and service awards, which will be deducted from the \$2.67 billion Settlement Fund. You may ask to appear at the Fairness Hearing, on your own behalf or through counsel, but you don't have to do so.

### Please Do Not Contact The Court Regarding This Notice.

#### Questions?



Visit [www.BCBSsettlement.com](http://www.BCBSsettlement.com),  
email [info@BCBSsettlement.com](mailto:info@BCBSsettlement.com),



call (888) 681-1142, or



qrcode



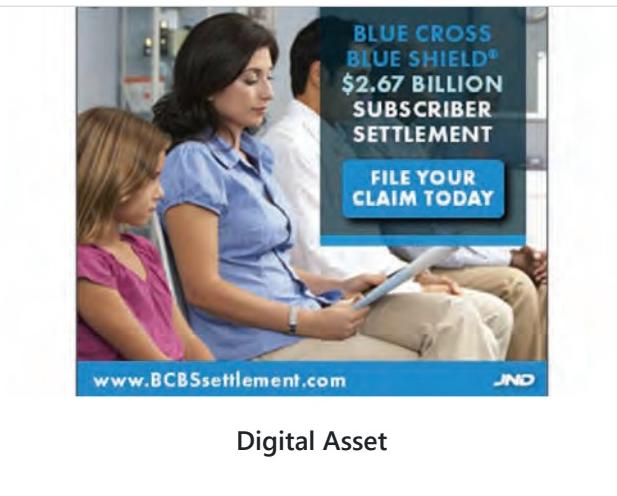
write Blue Cross Blue Shield Settlement  
c/o JND Legal Administration,  
P.O. Box 91390, Seattle, WA 98111.



Television Asset



Radio Asset



Digital Asset



## **Si compró o estuvo inscrito en un plan de servicios administrativos o de seguro médico de Blue Cross o de Blue Shield entre 2008 y 2020, un Acuerdo de \$2,67 mil millones puede afectar sus derechos**

**CLICK HERE TO VIEW IN  
ENGLISH**

*Para una notificación en español, visite [www.BCBSSettlement.com/espanol](http://www.BCBSSettlement.com/espanol)*

**SEATTLE, 6 de abril de 2021** – El 30 de noviembre de 2020, el Honorable R. David Proctor del Tribunal de Distrito de EE. UU. para el Distrito Norte de Alabama otorgó la aprobación preliminar del acuerdo de la demanda colectiva en referencia al caso *Litigio antimonopolio de Blue Cross Blue Shield MDL 2406, N.D. Ala. Nro. de archivo maestro 2:13-cv-20000-RDP*.

### **¿De qué se trata la demanda?**

Los demandantes afirman que Blue Cross Blue Shield Association y Settling Individual Blue Plans (colectivamente, los "Demandados en conciliación") violaron las leyes antimonopolio al celebrar ilegalmente un acuerdo para no competir entre sí y restringir la competencia entre ellos en la venta de seguros médicos y servicios administrativos para seguros médicos. Los demandados en conciliación niegan todos los reclamos y han afirmado que su conducta da como resultado costos de atención médica más bajos y un mayor acceso a la atención para sus clientes. El Tribunal no ha decidido quién tiene razón.

### **¿Quiénes son las personas afectadas?**

Usted puede cumplir los requisitos para recibir el pago si es una **Persona**, un **Grupo asegurado** (y sus empleados) o una **Cuenta autofinanciada** (y sus empleados) que compraron o estuvieron inscritos en un seguro médico o plan de servicios administrativos de Blue Cross o Blue Shield durante uno de los dos Periodos de la demanda colectiva. Las cuentas gubernamentales están excluidas de la demanda colectiva.

El Período de la demanda colectiva para las **Personas** y los **Grupos asegurados** es desde el 7 de febrero de 2008 hasta el 16 de octubre de 2020. El Período de la demanda colectiva para las **Cuentas autofinanciadas** es desde el 1 de septiembre de 2015 hasta el 16 de octubre de 2020. Los dependientes, los beneficiarios (incluidos los menores) y quienes que no sean empleados **NO** son elegibles para recibir el pago.

Todas las **Personas**, **Grupos asegurados** y **Cuentas autofinanciadas** que compraron o se inscribieron en un plan de servicios administrativos o de seguro médico de Blue Cross o Blue Shield desde el 7 de febrero de 2008 hasta el 16 de octubre de 2020 también se beneficiarán de las disposiciones del Acuerdo

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Si compró o estuvo inscrito en un plan de servicios administrativos o de seguro que requiere que los Demandados en conciliación cambien algunas de sus prácticas que supuestamente eran anticompetitivas. Los dependientes, los beneficiarios (incluidos los menores) y los no empleados se beneficiarán de esta parte del Acuerdo.

Para obtener más detalles sobre quiénes se ven afectados, visite [www.BCBSsettlement.com](http://www.BCBSsettlement.com).

#### ¿Qué puedo obtener de este Acuerdo?

Los Miembros de la demanda colectiva que presenten reclamaciones válidas pueden recibir beneficios en efectivo del Fondo del acuerdo neto. Se estima que ese Fondo es de aproximadamente \$1,90 mil millones, después de deducir los honorarios de los abogados, los gastos de administración y otros costos del Fondo del Acuerdo de \$2,67 mil millones. Para obtener detalles sobre el Plan de distribución, lea la versión completa de la Notificación que está disponible en [www.BCBSsettlement.com](http://www.BCBSsettlement.com). También puede llamar al (888) 681-1142. Los Demandados en conciliación también acordaron cambios en la forma en que hacen negocios para aumentar las oportunidades de competencia en el mercado de seguros médicos.

#### ¿Cómo puedo obtener un pago?

Debe enviar una reclamación válida en línea en [www.BCBSsettlement.com](http://www.BCBSsettlement.com) o con matasellos por correo postal a más tardar el **5 de noviembre de 2021**. Los formularios de reclamación están disponibles en [www.BCBSsettlement.com](http://www.BCBSsettlement.com) o puede solicitarlos llamando al (888) 681-1142.

#### PRESENTA UNA RECLAMACIÓN

#### ¿Cuáles son sus otras opciones?

Si no desea estar legalmente obligado por el Acuerdo, puede enviar una solicitud de exclusión ("optar por no participar"). No recibirá dinero, pero conservará su derecho a demandar a los Demandados en conciliación por las reclamaciones de este caso. Si no se excluye, puede objetar el Acuerdo. Si se rechaza su objeción, usted seguirá legalmente obligado por el Acuerdo. Para obtener detalles sobre cómo excluirse o presentar una objeción, lea la versión completa de la Notificación que está disponible en [www.BCBSsettlement.com](http://www.BCBSsettlement.com). También puede llamar al (888) 681-1142.

Las exclusiones y las objeciones deben contar con un matasellos anterior al **28 de julio de 2021**. El Tribunal celebrará una Audiencia de imparcialidad el miércoles 20 de octubre de 2021 a las 10:00 de la mañana, horario del centro, para considerar si el Acuerdo es justo, razonable y adecuado. El Tribunal también decidirá si aprueba los honorarios y gastos de abogados de hasta \$667.5 millones y \$101 millones para costos adicionales y primas de servicios, que se deducirán del Fondo del Acuerdo de \$2,67 mil millones. Puede solicitar comparecer en la Audiencia de imparcialidad, en su propio nombre o a través de un abogado, pero no tiene que hacerlo.

#### NO SE COMUNIQUE CON EL TRIBUNAL CON RESPECTO A ESTE AVISO.

#### ¿Tiene preguntas?



Visite [www.BCBSsettlement.com](http://www.BCBSsettlement.com),  
envíe un correo electrónico a  
[info@BCBSsettlement.com](mailto:info@BCBSsettlement.com),



llame al (888) 681-1142, o



escriba a *Blue Cross Blue Shield Settlement*  
c/o JND Legal Administration,  
P.O. Box 91390, Seattle, WA 98111.



Código QR



[www.BCBSsettlement.com](http://www.BCBSsettlement.com) or call (888) 681-1142

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Teleanuncio



Radioanuncio



Anuncio Digital

# **EXHIBIT N**

To: [HR List Email Address]  
From: [Notice@BCBSsettlement.com](mailto:Notice@BCBSsettlement.com)  
Subject: Information Regarding BCBS Settlement

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Dear [HR LIST NAME]:

I write as the Claims Administrator in the Blue Cross Blue Shield Settlement. On November 30, 2020, the Court granted Preliminary Approval to the proposed Settlement reached in a class action lawsuit called *In re: Blue Cross Blue Shield Antitrust Litigation MDL 2406*, N.D. Ala. Master File No. 2:13-cv-20000-RDP. I am reaching out to provide you with information about the Settlement and claims process as the Court has approved my asking for your assistance in providing notice to Class Members. More information about the case can be found here: [www.BCBSsettlement.com](http://www.BCBSsettlement.com) [links to <https://www.multivu.com/players/English/8852851-blue-cross-blue-shield-class-action-settlement/>]

If you have any questions regarding the Settlement, please do not hesitate to contact us via mail or email as provided below:

- Mail: Blue Cross Blue Shield Settlement  
c/o JND Legal Administration  
P.O. Box 91390  
Seattle, WA 98111
- Email: [ClaimsAdministrator@BCBSsettlement.com](mailto:ClaimsAdministrator@BCBSsettlement.com)

Sincerely,

Jennifer Keough  
Chief Executive Officer  
JND Legal Administration

# EXHIBIT O

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

**If you purchased or were enrolled in a  
Blue Cross or Blue Shield health insurance or  
administrative services plan between 2008 and 2020,  
a \$2.67 billion Settlement may affect your rights**

*Para una notificación en español, visite [www.BCBSSettlement.com/espanol](http://www.BCBSSettlement.com/espanol)*

*A federal court authorized this Notice. This is not a solicitation from a lawyer.*

- Class Representatives (“Plaintiffs”) and the Blue Cross Blue Shield Association (“BCBSA”) and Settling Individual Blue Plans reached a Settlement in a class action antitrust lawsuit called *In re: Blue Cross Blue Shield Antitrust Litigation MDL 2406*, N.D. Ala. Master File No. 2:13-cv-20000-RDP (the “Settlement”).<sup>1</sup> BCBSA and Settling Individual Blue Plans are called “Settling Defendants.”
- Plaintiffs allege that Settling Defendants violated antitrust laws by entering into an agreement not to compete with each other and to limit competition among themselves in selling health insurance and administrative services for health insurance.
- Settling Defendants deny all allegations of wrongdoing and assert that their conduct results in lower healthcare costs and greater access to care for their customers.
- The Court has not decided who is right or wrong. Instead, Plaintiffs and Settling Defendants have agreed to a Settlement to avoid the risk and cost of further litigation.
- The Court certified two Settlement Classes in this case—a Damages Class and an Injunctive Relief Class. These Classes are further defined in Question 5.
- If approved by the Court, the Settlement will establish a **\$2.67 billion Settlement Fund**. Settling Defendants will also agree to make changes in the way they do business that will increase the opportunities for competition in the market for health insurance.
- Your legal rights are affected whether you act or do not act. Please read this Notice carefully.

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<sup>1</sup> All capitalized terms used in this Notice shall have the same meaning as provided for in the Settlement Agreement, unless stated otherwise.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		
<b>FILE A CLAIM (DAMAGES CLASS ONLY)</b>	<ul style="list-style-type: none"> <li>File a claim for payment online or by mail.</li> <li>Be bound by the Settlement.</li> <li>Give up your right to sue or continue to sue Settling Defendants for the claims in this case.</li> </ul>	Submitted online or postmarked by <b>November 5, 2021</b>
<b>ASK TO BE EXCLUDED (“OPT OUT”) (DAMAGES CLASS ONLY)</b>	<ul style="list-style-type: none"> <li>Remove yourself from the Class.</li> <li>Receive no payment.</li> <li>Keep your right to sue or continue to sue Settling Defendants for the claims in this case.</li> </ul>	Postmarked by <b>July 28, 2021</b>
<b>OBJECT</b>	<ul style="list-style-type: none"> <li>Write to the Court about why you do not like the Settlement.</li> </ul>	Postmarked by <b>July 28, 2021</b>
<b>ATTEND THE HEARING</b>	<ul style="list-style-type: none"> <li>Ask to speak to the Court about the fairness of the Settlement.</li> </ul>	<b>October 20, 2021 at 10:00 a.m. Central Time</b>
<b>DO NOTHING</b>	<ul style="list-style-type: none"> <li>Receive no payment</li> <li>Be bound by the Settlement.</li> <li>Give up your right to sue or continue to sue Settling Defendants for the claims in this case.</li> </ul>	

- These rights and options—and the deadlines to exercise them—are explained in this Notice. The deadlines may be changed, so please check the Settlement Website, [www.BCBSsettlement.com](http://www.BCBSsettlement.com), for updates and further details.
- The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement and after any appeals are resolved. Please be patient.

Questions? Visit [www.BCBSsettlement.com](http://www.BCBSsettlement.com) or call toll-free at (888) 681-1142

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Questions? Visit [www.BCBSSettlement.com](http://www.BCBSSettlement.com) or call toll-free at (888) 681-1142

## BASIC INFORMATION

### 1. Why was this Notice issued?

The Court authorized this Notice because you have a right to know about the proposed Settlement of certain claims against Settling Defendants in this class action lawsuit and about your options before the Court decides whether to approve the Settlement. If the Court approves the Settlement, and after objections and appeals are resolved, you will be bound by the judgment and terms of the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights and options, and the deadlines for you to exercise your rights.

### 2. What is this lawsuit about?

This class action is called *In re: Blue Cross Blue Shield Antitrust Litigation MDL 2406*, N.D. Ala., Master File No. 2:13-cv-20000-RDP and is pending in the United States District Court for the Northern District of Alabama Southern Division. U.S. District Court Judge R. David Proctor is overseeing this class action.

Plaintiffs allege that Settling Defendants violated antitrust laws by entering into an agreement where the Settling Defendants agreed not to compete with each other in selling health insurance and administration of Commercial Health Benefit Products in the United States and Puerto Rico, as well as agreeing to other means of limiting competition in the market for health insurance and administration of Commercial Health Benefit Products. Settling Defendants deny all allegations of wrongdoing. They assert that their conduct results in lower healthcare costs and greater access to care for their customers. The Court has not decided who is right or wrong. Instead, Plaintiffs and Settling Defendants have agreed to a Settlement to avoid the risk and cost of further litigation.

### 3. What is a class action, and who is involved?

In a class action lawsuit, one or more people or businesses called class representatives sue on behalf of others who have similar claims. All of the people or businesses who have similar claims together are a “class” or “class members” if the class is certified by the Court. Individual class members do not have to file a lawsuit to participate in the class action settlement or be bound by the judgment in the class action. One court resolves the issues for everyone in the class, except for those who exclude themselves from the class.

### 4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiffs or Settling Defendants. Instead, both sides have agreed to the Settlement. Both sides want to avoid the risk and cost of further litigation. The Plaintiffs and their attorneys think the Settlement is best for the Settlement Classes.

## WHO IS IN THE SETTLEMENT CLASSES?

### 5. Am I part of the Settlement Classes?

The Court certified two Settlement Classes in this case—a Damages Class and an Injunctive Relief Class.

- The Damages Class includes all **Individuals, Insured Groups**<sup>2</sup> (and their employees), and **Self-Funded Accounts**<sup>3</sup> (and their employees), that purchased, were covered by, or were enrolled in a Blue-

<sup>2</sup> Insured Groups include both employers and other groups (e.g., Taft-Hartley plans, multi-employer welfare arrangements, association health plans, retiree groups, and other non-employer groups).

<sup>3</sup> Self-Funded Accounts include both employers and other groups (e.g., Taft-Hartley plans, multi-employer welfare arrangements, association health plans, retiree groups, and other non-employer groups).

Questions? Visit [www.BCBSSettlement.com](http://www.BCBSSettlement.com) or call toll-free at (888) 681-1142

Branded Commercial Health Benefit Product<sup>4</sup> sold, underwritten, insured, administered, or issued by any Settling Individual Blue Plan during the respective class periods. The class period for the fully insured **Individuals and Insured Groups** (and their employees) is from February 7, 2008, through October 16, 2020 (“Settlement Class Period”). The class period for the **Self-Funded Accounts** (and their employees) is from September 1, 2015 through October 16, 2020 (“Self-Funded Settlement Class Period”). Dependents, beneficiaries (including minors), and non-employees are **NOT** included in the Damages Class.

**Self-Funded Accounts** encompass any account, employer, health benefit plan, ERISA plan, non-ERISA plan, or group, including all sponsors, administrators, fiduciaries, and Members thereof, that purchased, were covered by, participated in, or were enrolled in a Self-Funded Health Benefit Plan during the Self-Funded Settlement Class Period. A Self-Funded Health Benefit Plan is any Commercial Health Benefit Product other than Commercial Health Insurance, including administrative services only (“ASO”) contracts or accounts, administrative services contracts or accounts (“ASC”), and jointly administered administrative services contracts or accounts (“JAA”).

For associational entities (e.g., trade associations, unions, etc.), the Self-Funded Account includes any member entity which was covered by, enrolled in, or included in the associational entity’s Blue-Branded Commercial Health Benefit Product. A Self-Funded Account that purchased a Blue-Branded Self-Funded Health Benefit Plan and Blue-Branded stop-loss coverage remains a Self-Funded Account.

Excluded from the Damages Class are:

- Government Accounts<sup>5</sup>;
  - Medicare and Medicaid Accounts;
  - Settling Defendants themselves, and any parent or subsidiary of any Settling Defendant (and their covered or enrolled employees);
  - Individuals or entities that file an exclusion or opt out from the Settlement; and
  - The judge presiding over this matter, and any members of his judicial staff, to the extent such staff were covered by a Commercial Health Benefit Product not purchased by a Government Account during the Settlement Class Period.
- The Injunctive Relief Class includes all **Individuals, Insured Groups, Self-Funded Accounts, and Members** that purchased, were covered by, or were enrolled in a Blue-Branded Commercial Health Benefit Product sold, underwritten, insured, administered, or issued by any Settling Individual Blue Plan during the applicable Settlement Class Period. Dependents, beneficiaries (including minors), and non-employees are included in the Injunctive Relief Class.

## 6. I am still not sure if I am included.

If you are still not sure if you are included in the Settlement Classes, please review the detailed information contained in the Settlement Agreement, available for download at [www.BCBSSettlement.com](http://www.BCBSSettlement.com). You may also contact the Claims Administrator at [info@BCBSSettlement.com](mailto:info@BCBSSettlement.com) or call toll-free at (888) 681-1142.

<sup>4</sup> Unless the person’s or entity’s only Blue-Branded Commercial Health Benefit Product during the class periods was a stand-alone vision or dental product.

<sup>5</sup> Additional information about Government Accounts is in the Settlement Agreement.

Questions? Visit [www.BCBSSettlement.com](http://www.BCBSSettlement.com) or call toll-free at (888) 681-1142

## SETTLEMENT BENEFITS

### **7. What does the Settlement provide?**

The Settlement provides monetary payments to Damages Class Members who submit a valid claim by **November 5, 2021**. Settling Defendants also agreed to make changes in the way they do business to increase the opportunities for competition in the market for health insurance (“injunctive relief”) that benefits Injunctive Relief Class Members. You may be included in both Settlement Classes.

If the Court approves the Settlement, in exchange for Class Members’ release of the Released Claims, a \$2.67 billion Gross Settlement Fund will be established. The money remaining in the Settlement Fund, after paying the Attorneys’ Fee and Expense Awards not to exceed \$667.5 million and the Notice and Settlement Administration costs of \$100 million, is called the “Net Settlement Fund.” The Net Settlement Fund is estimated to be approximately \$1.9 billion and will be distributed to Damages Class Members. This Net Settlement Fund will be split as described below:

#### **Monetary Damages:**

- 93.5% of the Net Settlement Fund (approximately \$1.78 billion) will be allocated to the Fully Insured (FI) Class Members as a “FI Net Settlement Fund.” The FI Net Settlement Fund will be distributed to **FI Authorized Claimants**, which include:
  - Individuals (“FI Individual Policyholders”);
  - Insured Groups (“FI Groups”); and
  - Insured Group Employees (“FI Employees”)
 who submit a valid claim by **November 5, 2021**.
- The remaining 6.5% of the Net Settlement Fund (approximately \$120 million) will be set up as a “Self-Funded Net Settlement Fund.” The Self-Funded Net Settlement Fund will be distributed to **Self-Funded Authorized Claimants**, which include:
  - Self-Funded Accounts (“Self-Funded Groups”); and
  - Self-Funded Account Employees (“Self-Funded Employees”)
 who submit a valid claim by **November 5, 2021**.
- The FI Net Settlement Fund and Self-Funded Net Settlement Fund are separate funds for FI Authorized and Self-Funded Authorized Claimants, respectively. If the claim rate is lower in one fund than the other, the payment to the Authorized Claimants will be proportionately increased in that fund only, and not to all Authorized Claimants overall.

#### **Injunctive Relief:**

- Settling Defendants have agreed to make changes in the way they do business that will increase the opportunities for competition in the market for health insurance. As part of the Injunctive Relief (the changes in the way the Settling Defendants do business), a Monitoring Committee will be established for five years to mediate any disputes resulting from the implementation of the Injunctive Relief. If the Monitoring Committee Process approves any systems or rules, that information will be included in the Release. It will also be posted in a report of Monitoring Committee Actions on the Settlement Website. Additional information is detailed in the Settlement Agreement, available at [www.BCBSSettlement.com](http://www.BCBSSettlement.com).

**Questions? Visit [www.BCBSSettlement.com](http://www.BCBSSettlement.com) or call toll-free at (888) 681-1142**

## 8. How much can Damages Class Members get from the Settlement?

Damages Class Members who submit a valid approved claim (“Authorized Claimants”) will receive a payment from either the FI Net Settlement Fund or the Self-Funded Net Settlement Fund, if the Settlement is approved.

### **Distribution of the FI Net Settlement Fund**

**FI Authorized Claimants** qualify for a payment based on the total amount of estimated premiums they paid to the Settling Defendants (“Total Premiums Paid”) during the Settlement Class Period. Payments will be distributed on a proportional basis across all FI Authorized Claimants based on their estimated premiums.

The payment amount (i.e. claim payment) to FI Authorized Claimants will be determined by the following formula:

Total Premiums Paid During the Settlement Class Period  
by FI Authorized Claimant A

*Divided by*

Total Premiums Paid during the Settlement Class Period  
by all FI Authorized Claimants who submit claims

*Multipled by*

Total dollars in FI Net Settlement Fund

**= Claim payment of FI Claimant A’s claim**

For Example<sup>6</sup>:

\$1000

*Divided by*

\$10,000,000,000

*Multipled by*

\$1,780,000,000

**= \$178**

**FI Individual Policyholders** – Total Premiums Paid for FI Individual Policyholders will be based on data provided by Settling Defendants. In most cases that data should allow for the calculation of Total Premiums Paid without requiring the FI Authorized Claimant to submit any premium data.

**FI Groups and FI Employees** – Total Premiums Paid for FI Groups and FI Employees will be based on (a) data provided by the Settling Defendants showing the total amount of premiums paid by any FI Group and (b) a process for allocating the Total Premiums Paid between each specific FI Group and any FI Employees of that FI Group who submit a claim.

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<sup>6</sup> These numbers are provided **for example only**. The numbers do not show actual premiums or an anticipated actual ratio of premiums paid by a Claimant to the Total Premiums Paid by all Claimants.

Because FI Groups and FI Employees typically share the economic burden of premium payments, the Plan of Distribution allocates premiums between the two. When filing a claim, FI Groups and FI Employees may choose a Default or Alternative Option for determining the allocation of Total Premiums Paid between the employer and any employee of that FI group that file a claim. To efficiently process claims, the Plan of Distribution sets a Default allocation as follows: (1) 15% of an employee's premium for single coverage is deemed to have been paid by the employee (with the remainder to the employer) and (2) 34% of an employee's premium for family coverage is deemed to have been paid by the employee (with the remainder to the employer). The Alternative option allows the claimant to submit data or records supporting a contribution higher than the Default. The below scenarios are examples of how an estimated premium may be calculated for use in determining a claimant's proportional share of the FI Net Settlement Fund. In any case where an FI Group makes a claim, it will receive credit for any premiums not otherwise allocated to claiming employees.

IF...	THEN...
<ul style="list-style-type: none"> <li>• FI Group files a claim</li> <li>• No FI Employees for that FI Group file a claim</li> </ul>	<ul style="list-style-type: none"> <li>• FI Group's share will be calculated from full premium paid by that FI Group</li> </ul>
<ul style="list-style-type: none"> <li>• FI Group files a claim and accepts Default option</li> <li>• One or more of its FI Employees files a claim and accepts Default option</li> </ul>	<ul style="list-style-type: none"> <li>• For each claiming FI Employee, the Default % will be used to calculate their premiums paid, with remainder allocated to FI Group</li> </ul>
<ul style="list-style-type: none"> <li>• FI Group files a claim and selects Alternative Option and provides relevant data or records to support a contribution % higher than the Default %</li> <li>• FI Employee files a claim</li> </ul>	<ul style="list-style-type: none"> <li>• Allocation between the FI Group and claiming FI Employees will be based on the relevant data or materials provided by each (dependent on a review process)</li> </ul>
<ul style="list-style-type: none"> <li>• FI Group files a claim and accepts Default option</li> <li>• One or more FI Employees for that FI Group files a claim and selects the Alternative Option</li> <li>• One or more FI Employees for that FI Group files a claim and accepts Default option</li> </ul>	<ul style="list-style-type: none"> <li>• Allocation between the FI Employees who select the Alternative Option and for the related FI Group with regard to these employees will be based on the relevant data or materials provided by each (dependent on a review process)</li> <li>• Default % will be used to calculate premiums for the claimants who accept the Default option</li> </ul>
<ul style="list-style-type: none"> <li>• FI Employee files a claim and does not select the Alternative Option</li> <li>• FI Group(s) does not file a claim</li> </ul>	<ul style="list-style-type: none"> <li>• The FI Employee's premium will be calculated based on the Default % as seen above</li> </ul>
<ul style="list-style-type: none"> <li>• FI Employee files a claim and selects the Alternative Option and provides relevant data or records to support a contribution % higher than the Default %</li> <li>• FI Group(s) does not file a claim</li> </ul>	<ul style="list-style-type: none"> <li>• The FI Employee will receive an allocation based on the relevant data or materials he or she provides (dependent on a review process)</li> </ul>

Employer Groups: Purchasing Entities and Covered Entities are both eligible to file a claim.<sup>7</sup>

<sup>7</sup> Information about the plan of allocation for Employer Groups can be found in the Plan of Distribution.

Questions? Visit [www.BCBSSettlement.com](http://www.BCBSSettlement.com) or call toll-free at (888) 681-1142

## **Distribution of Self-Funded Net Settlement Fund**

**Self-Funded Authorized Claimants** are eligible for compensation for Total Self-Funded Fees Paid to the Settling Defendants during the Self-Funded Settlement Class Period. Payments will be distributed on a proportional basis across all Self-Funded Authorized Claimants.

The amount of each claim submitted by any given Self-Funded Authorized Claimant will be determined by the following formula:

Total Administrative Fees Paid During the Self-Funded Settlement Class  
Period  
by Self-Funded Claimant B

*Divided by*

Total Administrative Fees Paid during the Self-Funded Settlement Class  
Period  
by all Self-Funded Authorized Claimants who submit claims

*Multipled by*

Total dollars in Self-Funded Net Settlement Fund

**= Claim payment of Self-Funded Claimant B's claim**

Total Administrative Fees Paid will be based upon (a) the data provided by the Settling Defendants showing the total amount of Administrative fees paid by any Self-Funded Group and (b) an allocation process to split the Total Self-Funded Fees Paid between each specific Self-Funded Group and any Self-Funded Employees of that Self-Funded Group who submit claims. The Self-Funded Groups/Employees will have the same opportunity to choose either the Default or Alternative option, as outlined in the chart on page 8 for the FI Group and FI Employees.

The Self-Funded Default Option allocation is: (1) 18% of an employee's administrative fee for single coverage is deemed to have been paid by the employee (with the remainder to the employer); and (2) 25% of an employee's administrative fee for family coverage is deemed to have been paid by the employee (with the remainder to the employer). The Alternative option allows the claimant to submit data or records supporting a contribution higher than the Default.

### **Minimum Claim Payment**

If the total payment for any Damages Class Member is equal to or less than \$5.00 ("minimum claim payment"), no payment will be made to the Damages Class Member. The claimant will be notified that there will be no distribution given the minimum claim payment.

No distributions will be made until there is a final resolution of all determinations and disputes that could potentially impact the Claims Payments.

### **Claimant Review**

Authorized Claimants will be able to review the Total Premiums Paid and/or Total Administrative Fees Paid used to calculate their award before the distribution of the Net Settlement Fund. If an Authorized Claimant disagrees with their Total Premiums Paid and/or Total Administrative Fees, they must provide the necessary documentation to support the amount they believe it should be. The Claims Administrator will review any data

**Questions? Visit [www.BCBSSettlement.com](http://www.BCBSSettlement.com) or call toll-free at (888) 681-1142**

submitted and determine whether to change the Total Premiums Paid and/or Total Administrative Fees for that Authorized Claimant.

## **9. How do I get a Payment?**

To make a claim and receive a payment, you must file a claim form online or by mail postmarked **November 5, 2021**. Claims may be submitted online at [www.BCBSSettlement.com](http://www.BCBSSettlement.com) or by mail to:

Blue Cross Blue Shield Settlement  
c/o JND Legal Administration  
PO Box 91390  
Seattle, WA 98111

If you select the Alternative Option, you must submit relevant data or records showing a higher contribution percentage. Otherwise the Default Option will be used. Instructions for submitting your claim are on the claim form and on the Settlement Website. When required, sufficient documentation shall include an attestation signed under penalty of perjury when other documentation is no longer available.

## **10. What am I giving up by staying in the Settlement Classes?**

Unless you exclude yourself, you remain in the Settlement Classes. This means that you cannot sue, continue to sue, or be part of any other lawsuit against Settling Defendants that makes claims based on the facts and legal theories involved in this case or any of the business practices the Settling Defendants adopt pursuant to the Settlement Agreement. It also means that all of the Court's orders will apply to you and legally bind you. The Released Claims are detailed in the Settlement Agreement, available at [www.BCBSSettlement.com](http://www.BCBSSettlement.com). For purposes of clarity, if a Self-Funded Account that opts out meets the criteria to request a Second Blue Bid under the terms of the Settlement Agreement, that Self-Funded Account does not release any claims for declaratory or injunctive relief to request a Second Blue Bid during any time it meets the criteria to request such a bid under the terms of the Settlement Agreement. All other claims for declaratory or injunctive relief released under the Settlement Agreement are released.

## **11. What happens if I do nothing at all?**

If you do nothing, you will remain a member of the Settlement Classes and be bound by the Settlement. However, if you had been entitled to share in the Settlement proceeds, you will not get a payment.

## **EXCLUDING YOURSELF FROM THE DAMAGES CLASS**

## **12. How do I exclude myself from the Damages Class?**

If you are a member of the Damages Class, do not want the monetary benefits, and do not want to be legally bound by the terms of the Settlement, or if you wish to pursue your own separate lawsuit against Settling Defendants, you must exclude yourself from the Damages Class. This requires submitting a written request to the Claims Administrator stating your intent to exclude yourself from the Damages Class (an "Exclusion Request"). Your Exclusion Request must include the following: (a) your name, including the name of your business (if your business purchased health insurance from a Blue Cross or Blue Shield entity during the Class Period for employees), address, and telephone number; (b) a statement that you want to be excluded from the Damages Class in *In re: Blue Cross Blue Shield Antitrust Litigation*; and (c) your personal, physical signature (electronic signatures, including DocuSign, or PDF signatures are not permitted and will not be considered personal signatures). Requests signed solely by your lawyer are not valid. You must mail or email your Exclusion Request, postmarked or received by **July 28, 2021**, to:

**Questions? Visit [www.BCBSSettlement.com](http://www.BCBSSettlement.com) or call toll-free at (888) 681-1142**

Blue Cross Blue Shield Settlement  
c/o JND Legal Administration – **Exclusion Dpt.**  
PO Box 91393  
Seattle, WA 98111  
or [info@BCBSsettlement.com](mailto:info@BCBSsettlement.com)

### **13. If I do not exclude myself, can I sue Settling Defendants for the same thing later?**

No. Unless you exclude yourself, you give up the right to sue Settling Defendants for any claims that are released by the Settlement Agreement. If you have a current lawsuit against the Settling Defendants, speak to your lawyer in that lawsuit immediately to determine whether you must exclude yourself from the Settlement Classes to continue your own lawsuit against Settling Defendants.

### **OBJECTING TO THE SETTLEMENT**

### **14. How do I tell the Court that I do not like the Settlement?**

If you are a Settlement Class Member and have not excluded yourself from the Settlement, you can object to the Settlement if you do not like part or all of it. The Court will consider your views.

To object, you must send a letter or other written statement saying that you object to the Settlement in *In re: Blue Cross Blue Shield Antitrust Litigation* and the reasons why you object to the Settlement. This letter must include:

- The name of the Action – *In re: Blue Cross Blue Shield Antitrust Litigation*
- Description of your objections, including any applicable legal authority and any supporting evidence you wish the Court to consider;
- Your full name, address, email address, telephone number, and the plan name under which Blue Cross Blue Shield was provided and dates of such coverage;
- Whether the objection applies only to you, a specific Settlement Class or subset of a Settlement Class, or both Settlement Classes;
- The identity of all counsel who represent you, including former or current counsel who may be entitled to compensation for any reason related to the objection, along with a statement of the number of times in which that counsel has objected to a class action within five years preceding the submission of the objection, the caption of the case for each prior objection, and a copy of any relevant orders addressing the objection;
- Any agreements that relate to the objection or the process of objecting between you, your counsel, and/or any other person or entity;
- Your (and your attorney's) signature on the written objection;
- A statement indicating whether you intend to appear at the Final Fairness Hearing (either personally or through counsel); and
- A declaration under penalty of perjury that the information provided is true and correct.

Do not send your written objection to the Court or the judge. Instead, mail the objection to the Claims Administrator with copies to Co-Lead Counsel and Counsel for Settling Defendants at the addresses listed below.

**Questions? Visit [www.BCBSsettlement.com](http://www.BCBSsettlement.com) or call toll-free at (888) 681-1142**

Your objection must be postmarked by **July 28, 2021**.

**Claims Administrator:**

Blue Cross Blue Shield Settlement  
c/o JND Legal Administration  
PO Box 91393  
Seattle, WA 98111  
(888) 681-1142

**Plaintiffs' Co-Lead Counsel:**

BLUE CROSS BLUE SHIELD  
SETTLEMENT  
C/O MICHAEL D. HAUSFELD  
HAUSFELD LLP  
888 16th Street NW, Suite 300  
Washington, DC 20006  
(202) 849-4141  
[BCBSsettlement@hausfeld.com](mailto:BCBSsettlement@hausfeld.com)

**Counsel for Settling Defendants:**

DAN LAYTIN  
KIRKLAND & ELLIS LLP  
300 N. LaSalle St.  
Chicago, IL 60657  
(312) 862-4137  
[BCBSsettlement@kirkland.com](mailto:BCBSsettlement@kirkland.com)

BLUE CROSS BLUE SHIELD  
SETTLEMENT  
C/O DAVID BOIES  
BOIES SCHILLER FLEXNER LLP  
333 Main Street  
Armonk, NY 10504  
(888) 698-8248  
[BCBS-Settlement@bsflp.com](mailto:BCBS-Settlement@bsflp.com)

**15. What is the difference between excluding myself and objecting?**

Objecting is telling the Court that you do not like something about the Settlement. You can object only if you do not exclude yourself from the Settlement Classes. Excluding yourself is telling the Court that you do not want to be part of the Settlement Classes or the lawsuit as outlined in Question 12. If you exclude yourself, you are no longer a member of the Settlement Classes and you do not have a right to share in the Settlement's proceeds or to object because the Settlement no longer affects you.

**THE LAWYERS REPRESENTING YOU**

**16. Do I have a lawyer in this case?**

The Court has appointed (1) Michael Hausfeld of Hausfeld LLP and (2) David Boies of Boies Schiller Flexner LLP as Co-Lead Counsel on behalf of the Plaintiffs and Settlement Class Members. Their contact information is provided above in Question 14.

You do not need to hire a lawyer because Co-Lead Counsel is working on your behalf.

If you wish to pursue your own lawsuit separate from this one, or if you exclude yourself from the Settlement Classes, these lawyers will no longer represent you. You will need to hire a lawyer if you wish to pursue your own lawsuit against Settling Defendants.

**17. How will the lawyers be paid?**

Settlement Class Counsel may submit an application(s) to the Court ("Fee and Expense Application") for: (i) an award of attorneys' fees plus (ii) reimbursement of expenses and costs, up to a combined total of 25% of the \$2.67 billion fund (i.e., \$667,500,000) created by the Settlement. This fee will include Self-Funded Class Counsel's application. You will not have to pay any fees or costs.

**Questions? Visit [www.BCBSSettlement.com](http://www.BCBSSettlement.com) or call toll-free at (888) 681-1142**

## THE COURT'S FAIRNESS HEARING

### 18. When and where will the Court decide whether to approve the Settlement?

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to. The Court will hold a Fairness Hearing at **10:00 a.m. Central Time on October 20, 2021**, at the United States District Court for the Northern District of Alabama, Hugo L. Black United States Courthouse, 1729 5<sup>th</sup> Avenue North, Birmingham, Alabama 35203. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider whether to approve attorneys' fees and expenses up to \$667.5 million and \$101 million for additional costs and service awards. If there are objections, the Court will consider them. The Court will listen to people who have asked to speak at the hearing. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

### 19. Do I have to come to the hearing?

No. Co-Lead Counsel will attend the hearing and answer any questions the Court may have. However, you are welcome to come at your own expense. If you send an objection, you do not have to come to the hearing to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

### 20. May I speak at the hearing?

You may ask to speak at the Fairness Hearing. To do so, you must send a letter saying that it is your "Notice of Intention to Appear in *In re: Blue Cross Blue Shield Antitrust Litigation*." Be sure to include your name, including the name of your business (if applicable), current mailing address, telephone number, and signature. Your Notice of Intention to Appear must be postmarked by **July 28, 2021**, and it must be sent to the Clerk of the Court, Co-Lead Counsel, and Defense Counsel. The address for the Clerk of the Court is: Clerk of Court, United States District Court for the Northern District of Alabama, Hugo L. Black United States Courthouse, 1729 5<sup>th</sup> Avenue North, Birmingham, Alabama 35203. The addresses for Co-Lead Counsel and Defense Counsel are provided in Question 14. You cannot ask to speak at the hearing if you excluded yourself from the Settlement.

## GETTING MORE INFORMATION

### 21. How do I get more information about the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can find a copy of the Settlement Agreement, other important documents, and information about the current status of the case by visiting [www.BCBSSettlement.com](http://www.BCBSSettlement.com). You may contact the Claims Administrator at [info@BCBSsettlement.com](mailto:info@BCBSsettlement.com) or toll-free at (888) 681-1142. You may also contact Co-Lead Counsel at the address, phone number, and email address provided in Question 14.

**PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.**

**Questions? Visit [www.BCBSSettlement.com](http://www.BCBSSettlement.com) or call toll-free at (888) 681-1142**

# **EXHIBIT P**



# Blue Cross Blue Shield Settlement CLAIM FORM



Must be postmarked by  
mail no later than  
November 5, 2021

BLUE CROSS BLUE SHIELD SETTLEMENT  
C/O JND LEGAL ADMINISTRATION  
PO BOX 91390  
SEATTLE, WA 98111  
[www.BCBSsettlement.com](http://www.BCBSsettlement.com)

## BLUE CROSS BLUE SHIELD CLAIM FORM

You may be eligible to receive a cash payment if you are an **Individual, Insured Group** (and their employees) or **Self-Funded Account** (and their employees) that **purchased** or **were enrolled** in a Blue Cross or Blue Shield (BCBS) health insurance or administrative services plan during one of the two Settlement Class Periods.

The Settlement Class Period for **Individuals and Insured Groups** (and their employees) is from February 7, 2008, through October 16, 2020. The Settlement Class Period for **Self-Funded Accounts** (and their employees) is from September 1, 2015 through October 16, 2020. Dependents, beneficiaries (including minors), and non-employees are **NOT** eligible to receive payment.

**The Easiest Way to File is Online at [www.BCBSsettlement.com](http://www.BCBSsettlement.com).**

## INSTRUCTIONS FOR COMPLETING THIS CLAIM FORM

1. Please provide below, and on page 8, the Unique ID contained in the email or on the postcard notice that you received. If you did not receive an email or postcard, or if you cannot locate your email/postcard, write "unavailable."

UNIQUE ID:

2.  If you are a company/business/entity that purchased a BCBS health insurance or administrative services plan from a BCBS company, please complete **Section A**.
3.  If you are an individual who purchased BCBS health insurance directly from a BCBS company (and NOT an employee enrolled through a company/business/entity), please complete **Section B**.
4.  If you are an individual who was enrolled in a BCBS health insurance or administrative services plan through your employer or an individual that otherwise purchased a BCBS health insurance or administrative services plan through another group entity such as a union or member association (but NOT directly from a BCBS company), please complete **Section C**.

Must be postmarked by  
mail no later than  
November 5, 2021

BLUE CROSS BLUE SHIELD SETTLEMENT  
C/O JND LEGAL ADMINISTRATION  
PO BOX 91390  
SEATTLE, WA 98111  
[www.BCBSsettlement.com](http://www.BCBSsettlement.com)

## INSTRUCTIONS CONTINUED

5. If you are an individual who purchased BCBS health insurance directly from a BCBS company AND also were enrolled in a BCBS health insurance or administrative services plan through your employer or other entity, you must complete **Sections B and C** of this claim form.
6. Review **Section D** if you filled out **Section A or Section C**. Otherwise you may skip to **Section E**.
7. All claimants must complete **Section E**, regarding payment election.
8. You must sign the claim form certification in **Section F** and mail it to the address below, postmarked by **November 5, 2021**, in order for your claim to be considered. Or you can quickly complete this claim form online at [www.BCBSsettlement.com](http://www.BCBSsettlement.com).

Blue Cross Blue Shield Settlement  
C/O JND Legal Administration  
PO Box 91390  
Seattle, WA 98111

9. **ONLY** complete the chart on page 9 if you had more than one health plan or administrative services plan or if you were enrolled in BCBS health insurance or administrative services plans through more than one employer.
10. Please consult the checklist on page 10 before submitting your claim.

*By submission of this claim form, you are consenting to the disclosure of your information for use by the Claims Administrator and the Settlement Administrator in the claims administration process. The information you provide us on this claim is confidential and will be used solely to contact you and to process your claim. It will not be used for any other purpose.*

*Failure to submit your claim form by November 5, 2021 will subject your claim to rejection and will preclude you from being eligible to receive any money in connection with the Settlement. Do not mail or deliver your claim form to the Court.*

## SECTION A: BUSINESSES



To be Completed Only on Behalf of Companies/Businesses/Entities That Purchased BCBS Health Insurance or Administrative Services Plans from a BCBS Company.

<b>1. FULL NAME OF COMPANY:</b>			
<b>2. PRIMARY HEADQUARTERS MAILING ADDRESS:</b>	Street Address Line 1		
	Street Address Line 2		
	City		State
<b>3. COMPANY CONTACT (NAME AND TITLE):</b>	First	M.I.	Last
	Title		
<b>4. OFFICE PHONE NUMBER:</b>			Ext.
<b>5. EMAIL ADDRESS:</b>			
<b>6. NAME OF CONTRACTED BLUE CROSS OR BLUE SHIELD BRANDED HEALTH PLAN<sup>1</sup>:</b>			
<b>7. BLUE CROSS OR BLUE SHIELD GROUP #:</b>			
<b>8. COVERAGE START AND END DATES: (MM/YYYY)</b>	Start Date	End Date	
<b>9. FOR PLANS PURCHASED THROUGH A PURCHASING ENTITY</b>	<input type="checkbox"/> Check this box if your company/business/entity acquired its health plan through another purchasing entity, such as a PEO. Please state the name of the purchasing entity:  <hr style="width: 100px; margin-left: 0;"/> <input type="checkbox"/> Check this box if you are a Professional Employer Organization ("PEO"), Union or Trade Association, or other associational entity that collected payment for, contracted with or purchased a BCBS health insurance or administrative services plan on behalf of your client companies, customers or members directly from a BCBS company.		

<sup>1</sup> If you had multiple health insurance or administrative services plans, complete the chart on page 9 instead of fields 6 through 8.

## SECTION B: INDIVIDUAL MEMBERS



To be Completed Only by Individuals Who Purchased Health Insurance  
Directly from a BCBS Company.

<b>1. SUBSCRIBER FULL NAME:</b>	First	M.I.	Last
<b>2. MAILING ADDRESS:</b>	Street Address Line 1		
	Street Address Line 2		
	City	State	Zip
<b>3. PHONE NUMBER:</b>			
<b>4. EMAIL ADDRESS:</b>			
<b>5. NAME OF BLUE CROSS OR BLUE SHIELD BRANDED HEALTH PLAN<sup>2</sup>:</b>			
<b>6. BLUE CROSS OR BLUE SHIELD GROUP #:</b>			
<b>7. SUBSCRIBER ID:</b>			
<b>8. COVERAGE START AND END DATES: (MM/YYYY)</b>	Start Date	End Date	

<sup>2</sup> If you had multiple health insurance plans, complete the chart on page 9 instead of fields 5 through 8.

## SECTION C: EMPLOYEES



To be Completed Only by Individuals Who Were Enrolled in BCBS Health Insurance or Administrative Services Plans Through Their Employers or Who Otherwise Purchased BCBS Health Insurance or Administrative Services Plans Through Other Group Entities.

<b>1. SUBSCRIBER FULL NAME:</b>	First	M.I.	Last
<b>2. MAILING ADDRESS:</b>	Street Address Line 1		
	Street Address Line 2		
	City	State	Zip
<b>3. PHONE NUMBER:</b>			
<b>4. EMAIL ADDRESS:</b>			
<b>5. NAME OF EMPLOYER OR GROUP ENTITY THROUGH WHICH YOU WERE PROVIDED BLUE CROSS OR BLUE SHIELD INSURANCE<sup>3</sup>:</b>			
<b>6. MAILING ADDRESS OF EMPLOYER OR GROUP ENTITY:</b>			
<b>7. NAME OF BLUE CROSS OR BLUE SHIELD BRANDED HEALTH PLAN<sup>4</sup>:</b>			
<b>8. BLUE CROSS OR BLUE SHIELD GROUP #:</b>			
<b>9. SUBSCRIBER ID:</b>			
<b>10. COVERAGE START AND END DATES: (MM/YYYY)</b>	Start Date	End Date	

<sup>3</sup> If you purchased BCBS health insurance or administrative services plans through more than one employer, complete the chart on page 9 instead of fields 5 and 6.

<sup>4</sup> If you had multiple health insurance or administrative services plans, complete the chart on page 9 instead of fields 7 through 10.

## SECTION D: EXPLANATION OF EMPLOYER/EMPLOYEE PREMIUM PERCENTAGES



This Section Only Applies to claimants who filled out **Section A OR Section C**.

The Settlement provides that payments will be based, in part, on premiums paid for BCBS health insurance or administrative services plans during the relevant periods between 2008 and 2020.

The Settlement further provides default formulas for the Claims Administrator to use when determining what percentage of the premium was paid by an employer/entity and what percentage was contributed by its employees/members.

*100% of premiums for employees who do not file claims are allocated to the claiming employer. When an employee does claim, their premium share is determined through the default formulas, which provide that employees with single coverage are allocated 15% (for fully-insured health insurance) or 18% (for administrative plans) of the total premium paid on their behalf by their employer, and employees with family coverage are allocated 34% (for fully-insured health insurance) or 25% (for administrative plans), with the remainder allocated to the employer. For a full discussion of how these formulas will be used in calculating claims, please refer to the Plan of Distribution on the Settlement Website.*

### **DEFAULT OPTION**

- **If you accept the Default Option**, you are **NOT** required to provide any additional data or evidence in support of your claim at this time.
- If another claimant's filing affects your claim, you will be provided with an opportunity to respond at a later date.

### **ALTERNATIVE OPTION**

- **If you would like to apply for an alternative contribution percentage** instead of using the assigned Default Option, you must complete the table on page 7.
- If you select this option, you must also provide data or evidence to support the percentages you list in the table.
- For any time period for which supporting data or evidence is not provided, the above Default Option will be applied.
- Selection of the Alternative Option does not ensure a contribution percentage higher than or equal to the Default Option. Your percentage will be dependent on a review process that includes a review of all materials submitted pertaining to your premium.



## SECTION D CONTINUED

**STOP:** If you want to use the **DEFAULT OPTION**, DO NOT FILL OUT THIS SECTION.

If you would like to use the **ALTERNATIVE OPTION** instead of receiving the Default Option, please state the percentage contribution you believe you contributed for each year that you were enrolled in a BCBS health insurance or administrative services plan.

Year	Percentage (%)
2008	
2009	
2010	
2011	
2012	
2013	
2014	
2015	
2016	
2017	
2018	
2019	
2020	

***REMINDER: If you choose to apply for an alternative contribution percentage you must supply documentation with this claim form supporting the percentage you claim to have contributed. If you fill out this chart to apply for an alternative contribution percentage without providing additional documentation, the above Default Option will be applied to your claim.***



## SECTION E: PAYMENT ELECTION

Please let us know how you would like to receive your settlement payment if your claim is deemed valid. **You may only check one box below.**

*Final determinations of claim amounts will not be made until after processing by the Claims Administrator is complete. Claims will not be paid if the value is equal to or less than \$5.00.*

*Claimants who submit valid, approved claims shall receive a pro-rata percentage of the Net Settlement Fund allocated to their type of coverage (fully-insured or self-funded) based upon their estimated proportion of the cumulative total of premiums and/or administrative fees paid by all claimants.*

I would like to receive my payment...

- By Venmo** → Username: \_\_\_\_\_
- By PayPal** → Email: \_\_\_\_\_
- By Pre-paid Card
- By Check

**YOU MUST SIGN AND DATE YOUR CLAIM FORM BELOW IN ORDER  
TO BE ELIGIBLE TO BE PAID IN THIS SETTLEMENT**



## SECTION F: SIGNATURE

I affirm under the laws of the United States and the laws of my State of residence that the information supplied in this Claim Form by the undersigned is true and correct to the best of my recollection, and that this form was executed on the date set forth below.

I understand that I may be asked to provide supplemental information to the Claims Administrator and/or Settlement Administrator before my claim will be considered complete and valid.

**UNIQUE ID:**

Signature:	Dated:
Print Name:	Title (if signing on behalf of company/business/entity):

## **INFORMATION FOR ADDITIONAL HEALTH PLANS/EMPLOYERS**

To be Completed Only if You Participated in Multiple BCBS Health Insurance or Administrative Services Plans or if You Were Enrolled in BCBS Health Insurance or Administrative Services Plans Through Multiple Employers/Entities.

*If you require more space than the chart below provides, **you should file online at www.BCBSsettlement.com.**  
Or, you may make multiple copies of this page.*



## CHECKLIST

- ✓ Did you include your Unique ID on page 1 and page 8? Or, if you do not have a Unique ID, did you write “unavailable”?
- ✓ Did you complete all fields in Section A, B or C, as applicable?
- ✓ If you elected the Alternative Option in Section D, did you include supporting documentation or information?
- ✓ Did you complete Section E and tell us how you want to receive payment?
- ✓ Did you sign and date the claim form at Section F?
- ✓ Did you mail your form prior to the deadline?

*If any of your contact information changes, you must promptly notify us by emailing info@BCBSsettlement.com.*

*Please note that Settlement benefits will be distributed after the Settlement is approved by the Court and final.  
Please be patient.*